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Exhibit 13

Exhibit 13

BOPP, COLESON & BOSTROM
1 South Sixth Street
Terre Haute, Indiana 47807-3510
(812) 232-2434

John Doe #10

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Connecticut over 18 years of age, and my statements
3 herein are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made several donations totaling \$XXX, to the National
6 Organization for Marriage California - Yes on 8, sponsored by National Organization for
7 Marriage.

8 4. I did not support Proposition 8 in any other way, except by talking to acquaintances.

9 5. On February 2, 2009, I received an email that referenced one of my donations and
10 called me a "rotten" person. A true and correct copy of the text of this email is attached as
11 Exhibit A.

12 6. My husband responded to this email, and the person who wrote the original email
13 replied to tell him that she plans to contact all of the parents in the school where I work. My
14 husband told me this, and I find the effect of this to be chilling and very upsetting.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
16 AND CORRECT.

17 Executed on:

[REDACTED]

[REDACTED]

[REDACTED]

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #10 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 113-2 Filed 06/03/2009 Page 1 of 2

John Doe #10

EXHIBIT A

John Doe #10

Case 2:09-cv-00058-MCE-DAD Document 113-2 Filed 06/03/2009 Page 2 of 2

From: Cecil Firefox [cecilfirefox@hotmail.com]
Sent: Monday, February 02, 2009 4:38 PM
To: REDACTED
Subject: You are a terrible person REDACTED.

I have seen your XXXXX contribution to hate, bigotry, and discrimination. This information is all public now and I felt like taking a moment of my day to tell rotten people just what I think of them. The notion that someones marriage is going to effect you is a downright lie. Sending money to take away peoples rights, the right to hospital visitation, the right to social security, survivor benefits, to sue for wrongful death, to be able to be considered someones next of kin is unforgivable.

What you did was shameful, rotten, and history will live to tell the tale of a nation that treated people as less then who they are.

We will defeat you.

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p style="text-align: right;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>Debra Bowen, et al.,</p> <p style="text-align: right;"><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I placed a "Yes on 8" sign on my lawn, on a quiet
6 residential street. In support of Proposition 8, I also placed a bumper sticker on my car.

7 4. One night, I had my car parked in the street in front of my house. Someone smashed
8 the back window of my car in, and I had to replace the window. Because of this, I could not
9 work for two days, and I had to pay the insurance deductible to have the window replaced.
10 Moreover, I could not use my car for a week, because the car is older and a replacement
11 windshield had to be shipped in. I am a senior citizen on a small income, and this incident was a
12 financial setback for me. I believe that this incident was as a result of my support for Proposition
13 8.

14 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
15 AND CORRECT.

16 Executed on: [REDACTED] [REDACTED]
17 [REDACTED]

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #11 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF REDACTED IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 **Declaration of REDACTED in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation in support of Proposition 8.

6 4. In support of Proposition 8, I participated in a peaceful Proposition 8 rally in front of
7 the **REDACTED** in downtown San Diego. I also attended a **REDACTED** meeting
8 where five ministers spoke in support of Proposition 8.

9 4. In support of Proposition 8, I also had a "One Man, One Woman" bumper sticker on
10 my car. While I was in a grocery store, someone keyed my car and let the air out of the tires of
11 my car.

12 5. After this incident, I felt compelled to remove the bumper sticker, because I was
13 intimidated and worried that something worse would happen if I kept the bumper sticker on my
14 car.

15 6. In support of Proposition 8, I also had a "Prop. 8 = Religious Freedom" sign on the
16 balcony of my home. About a week after the November 2008 election, my entire staircase
17 leading downstairs was covered in urine, and there was a puddle of urine at the bottom of the
18 stairs.

19 7. In the future, I would support a cause similar to Proposition 8 in public, and I would
20 support my church in anything promoting a similar cause. However, I am not sure that I would
21 support a similar cause at home, because I was targeted at my home for harassment. I would only
22 place a bumper sticker on my car after considering its wording.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
24 AND CORRECT.

25 Executed on: **REDACTED** **REDACTED**
26 **REDACTED**

27 Declaration of **REDACTED** in
28 Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #12 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, my husband and I donated \$**XXX** to ProtectMarriage.com -
6 Yes on 8, a Project of California Renewal.

7 4. The city where I live is a very safe, family-oriented, education-focused city, and has
8 been rated the safest large city in the United States by the FBI. This is a city with several
9 universities and community colleges, where you never find any graffiti or vandalism.

10 5. Because of the reputation of the city, I was surprised during the Proposition 8
11 campaign to see vandalism directed at "Yes on 8" signs.

12 6. In support of Proposition 8, I called registered voters, volunteered 6-7 times at sign
13 waving events at major intersections, delivered yard signs to volunteers, forwarded email updates
14 to friends, and wrote blog entries, among other things.

15 7. Every time that I participated in a sign waving event, several people would shout
16 obscenities, and other people would argue with us. Other people would make obscene gestures
17 from their cars as they drove by. At some events, people with "No on 8" signs would come and
18 stand in front of us to block our signs, and make hateful comments to us. At every sign waving
19 event, I felt very nervous and scared, wondering if someone would come and yell at us or hurt us.
20 Because of the hostile environment at these sign waving events, we did not bring our children to
21 participate.

22 8. In support of Proposition 8, near the end of the campaign, I also had two bumper
23 stickers on my car. During the fall, someone keyed the left side of the car, and I believe it was
24 because of these bumper stickers, which was near the bumper sticker on the left rear window.
25 The key line was about 27 inches in length.

26 9. In support of Proposition 8, I also placed two "Yes on 8" signs in my front yard.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 10. After seeing that most of the signs on public streets were stolen almost as soon as they
2 were put out, I brought one of the two "Yes on 8" signs inside and kept it in my front window. I
3 kept the yard sign inside because I was afraid that if I kept it outside, it would be stolen.

4 11. I left the second yard sign out in the yard, but I brought it inside at night to keep it
5 from being stolen or defaced.

6 12. Although I live in a gated community, at the end of October, someone slashed the one
7 yard sign that was outside at the time.

8 13. I repaired the sign and replaced it in my yard. This time, I placed the yard sign inside
9 a low wall in the front yard, so people would have to go out of the way in order to reach it.

10 14. Despite these efforts to prevent any further damage to the sign that remained outside
11 during the day, on Halloween, someone ripped it out of the yard, pulled it out of the ground, and
12 threw it about ten feet outside of my property.

13 15. Also on Halloween, I had teenagers come to my door for trick or treating and tell me
14 that my support for Proposition 8 was "stupid and wrong." Some of the parents accompanying
15 the children who were trick or treating also pointed and whispered to one another in disapproval
16 of my support for Proposition 8.

17 16. I also saw that a neighbor's "Yes on 8" sign had been slashed on Halloween.

18 17. In the future, these incidents would make me hesitant about donating to or supporting
19 a similar cause because of worry about harassment, violence, and discrimination against my
20 family, and fear of damage to our property. I believe these sorts of incidents prevent freedom of
21 speech and freedom in elections.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORRECT|

24 Executed on: **REDACTED** **REDACTED**
25 **REDACTED**
26
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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #13 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
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11 Timothy D. Chandler (Cal. State Bar No. 234325)**
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 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16 **United States District Court**
 17 **Eastern District of California**
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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26 **Declaration of [REDACTED] in**
 27 **Support of Plaintiffs' Motion for**
 28 **Summary Judgment**

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**XXXX** to my church.

6 4. In support of Proposition 8, I placed Yes on 8 signs in my yard and on a balcony of my
7 house.

8 5. The Yes on 8 signs were ripped out of my yard and off of my balcony at least once a
9 week after I put them up.

10 6. On September 23, 2008, someone egged and floured my home during the night.

11 7. In October, my home was once again egged and floured.

12 8. On the day before the November 2008 election, my home was egged and floured for a
13 third time.

14 9. On November 1, 2008, my cars were egged and floured. Additionally, someone poured
15 honey on my cars. This destroys the finish on the cars.

16 10. On November 3, 2008, my cars were once again egged, floured, and had honey
17 poured on them.

18 11. In support of Proposition 8, I also placed bumper stickers on my cars and on my
19 motorbike.

20 12. In August and September, the bumper stickers on my cars were scraped off the back
21 glass windows of the cars. This happened during the day, while the cars were parked on the
22 street.

23 13. At work, I park in a parking lot. One day while I was at work, someone scraped the
24 bumper sticker off of my motorbike.

25 14. On November 5, 2008, my motorbike was pushed over.

26 15. Someone vandalized my church's temple. The next day, I assisted in the clean up of
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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 the graffiti that had been spray painted at the Temple.

2 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
3 AND CORRECT.

4 Executed on: **REDACTED** **REDACTED**
5 **REDACTED**

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #14 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF REDACTED</p> <p>IN SUPPORT OF</p> <p>PLAINTIFFS' MOTION FOR SUMMARY</p> <p>JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 Declaration of REDACTED in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I signed up to help to circulate the petition to get
6 Proposition 8 on the November 2008 ballot. However, I was unable to participate because the
7 times assigned to me conflicted with my schedule.

8 4. I have a brother who is openly gay.

9 5. I never discussed the issue of Proposition 8 with my brother; however, during one of
10 our regular phone conversations, he pressed me about how I planned to vote. I told him that I
11 could vote "yes" or "no," just like anyone else could on Proposition 8 or any other ballot
12 measure. He interpreted this comment as a suggestion that he should vote "yes" on Proposition
13 8.

14 6. As a result of the above conversation, I received an ugly and inflammatory e-mail
15 from my brother's partner. A true and correct copy of this email is attached as Exhibit A. A
16 true and correct copy of the series of emails that I exchanged after this initial email with my
17 brother's partner is attached as Exhibit B.

18 7. This email was also forwarded to my sister-in-law, who supports gay marriage.

19 8. My brother will no longer speak to me as a result of my support for Proposition 8,
20 and I believe that our family dynamics have changed forever.

21 9. I am deeply saddened that merely participating in the democratic process could have
22 such adverse consequences for my family.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
24 AND CORRECT.

25
26
27
28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 Executed on: REDACTED

REDACTED

2 REDACTED

28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #15 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

John Doe #15

Subj: **Re: Proposition 8**
Date: 10/28/2008 9:28:25 A.M. Pacific Daylight Time
From: REDACTED
To: REDACTED

In a message dated 10/28/2008 8:00:24 A.M. Pacific Daylight Time, REDACTED writes:

REDACTED ...I am at a complete loss...I have not discussed prop 8 with REDACTED, so I do not know where this is coming from? Can you please take a minute and fill me in? I would very much appreciate it. REDACTED

In a message dated 10/28/2008 7:35:52 A.M. Pacific Daylight Time, REDACTED writes:

Dear REDACTED

Your views, among others, on proposition 8 has placed you in the camp of opposition to civil rights.

I've seen this reaction with REDACTED before and it's seldom reversible.
Remember Aunt REDACTED?

REDACTED

You ended your last conversation telling him to vote yes on proposition 8.

Play online games for FREE at Games.com! All of your favorites, no registration required and great graphics – check it out!

Play online games for FREE at Games.com! All of your favorites, no registration required and great graphics – check it out!

Play online games for FREE at Games.com! All of your favorites, no registration required and great graphics – check it out!

Exhibit B

Subj: Re: Remember Aunt [REDACTED]
Date: 10/29/2008
To: [REDACTED]

No [REDACTED]...this isn't just about [REDACTED]...this is also about you sending that e-mail...Does this e-mail mean that [REDACTED] really did direct that the e-mail go out and you had nothing to do with it? Or, are you just backing away from doing what is right? If I understood what you had to say, it was your decision to send that e-mail and [REDACTED] didn't agree with it...Is that right or not? If you did send it on your own, then you should correct what you did and make it right with the family and me. I could have done what you did, and hit "reply all" to all of this, but I didn't do that. Never would.
Correcting this is the least you can do for me.. [REDACTED]

In a message dated 10/29/2008 6:00:32 P.M. Pacific Daylight Time, [REDACTED] writes:

Don't kill the messenger.
You asked.
it's entirely between you and [REDACTED]

message dated 10/29/2008 5:10:31 P.M. Pacific Daylight Time, [REDACTED] writes:

Like I said, [REDACTED]...I never told [REDACTED] to vote yes on 8...If he thinks that I did, then he took me out of context. There is no selective memory going on here.. [REDACTED] doesn't always listen when he is in argue mode. Why don't both of you give me the benefit of the doubt? Why have you chosen to take the low road? It seems so beneath two men that I have seen support fairness over the years. I did not want to discuss politics with [REDACTED] and told him that, more than once..None of this should have ever gotten to this. You made the decision to send that e-mail which was completely wrong of you to do...If either of you had a problem, then you should have communicated with me and not the family. When something like that goes out, it appears to me that it is coming from both of you. Yes...You did throw me under the bus, [REDACTED]
And what does being a Republican and Catholic have to do with anything? It doesn't...You have both chosen to make this an issue about me and what you seem to think to know about my beliefs. If I do or don't agree with any proposition or candidate why should it matter? Isn't that private? Isn't that my right as a citizen? I have never done that to either of you...ever...Do you even realize how mean spirited and hurtful this has become? Does it matter to you? Why are you involving the family?

If you know that what you did was wrong, [REDACTED], why not make it right? [REDACTED]

In a message dated 10/29/2008 4:10:39 P.M. Pacific Daylight Time, [REDACTED] writes:

[REDACTED]

One last salvo since you are convinced you have been thrown under the bus,
1. You DID make that statement on the final call - the cell phone call had nothing to do with it. Just before [REDACTED] handed me the phone he said. " How would it be if legislation were passed to ban marriage for all - then we would all be equal. " This was in answer to "be sure to vote yes on proposition 8. That I heard him say and you did not reply - the phone was handed to me. [REDACTED] would not make that up - I think we have a case of selective memory going on here.

Monday, March 09 2009 AOT [REDACTED]

In regard to "Remember Aunt [REDACTED] that was not from [REDACTED] - that was from me meaning that when [REDACTED] turns off on a person it's seldom retractable. You read that one completely wrong too. As far as [REDACTED] and I and [REDACTED] and [REDACTED]. We are not affected, as are you. This is a matter of civil rights. It's hard to believe that a staunch Republican and a devout Catholic could think any other way. Again there was no misunderstanding.

In a message dated 10/29/2008 12:35:59 P.M. Pacific Daylight Time, [REDACTED] writes:

No...It is not true...I told [REDACTED] that I did not want to talk about politics, prop 8 or anything else...that was one of my requests of [REDACTED] asking him not to always bring up politics. I told him that when I call it's to touch base, say hello and catch up...Not to get into never ending circles that get no where...He was agitated and I don't know what he heard, frankly, but whatever it was, I was misinterpreted (for sure)...Then my cell phone died and I called back on our land line. What you guys do or don't do and believe or don't believe is your business. I have never discussed prop 8 with either of you, nor have I shared my position. I have been conflicted about it because of you guys as well as [REDACTED] and [REDACTED]....and, I never told him to vote yes on 8...How presumptuous would that be of me? (and dumb). What I believe is my business and what he (and you) believe is your business...that's it. You know how sensitive things are with [REDACTED] and me...and now, I'm sure she's thinking what an awful person I am because I don't support you and [REDACTED] in this issue. It has literally made me ill...I know how it goes...from [REDACTED] to the kids, and I'm the bad guy. I am more upset by all of this than either of you know...It doesn't matter to you...You've succeeded in doing the damage, and there is nothing I can do about it. I'm sorry it has come to this, as well...It's all sad...I feel like my heart is breaking...

In a message dated 10/29/2008 11:50:18 A.M. Pacific Daylight Time, [REDACTED] writes:

[REDACTED]

First off I was wrong very wrong to involve the family in this matter - I'll explain why at the end of this statement. [REDACTED] also thinks it was wrong.

The crux of the whole thing was that your last statement to [REDACTED] was "be sure to vote yes on Proposition 8" Is this not true? Did [REDACTED] mis-interpret that statement? Now you say that you never mentioned prop 8.

Where do I stand? I too believe that the marriage ritual is designed for a man and woman and the propagation of children and forming a family unit. I would call it something else but certainly grant the sanctions bestowed on married couples.

There are two main reasons for same sex marriages that I've been made well aware of. The first financial the second enjoying the rituals and celebration of a formal marriage. The right to show their love proudly to others. None of which affects [REDACTED] or I.

But we both feel that others have the right to what they feel is best.

Page 3 of 4

We would not in anyway deny them their civil rights - much like the women's right to vote.

This is not a political nor a religious issue. This is a civil rights issue.

Now the reason I forwarded that E to G&B. When this whole thing about Gay marriage was instituted the first person wanting to know if [REDACTED] and I were going to do this was [REDACTED] even offered to stand for us. [REDACTED] registered to vote specifically for the opportunity to vote on this matter.

I know how [REDACTED] feels about this and I will not defend nor attack his reasoning. This is something that you and he have to deal with.

I am not true family so I don't have the blood thing to deal with.

Sorry it's come to this.

[REDACTED]

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
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16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>[REDACTED] IN SUPPORT OF</p> <p>PLAINTIFFS' MOTION FOR SUMMARY</p> <p>JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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25
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I contributed a total of \$X,XXX to ProtectMarriage.com -
6 Yes on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I also put a "Yes on 8" yard sign in my yard, as well as the
8 yard of my cousin. Although my sign was not touched, the sign I placed in the yard of my cousin
9 disappeared within a week. Two other "Yes on 8" signs on the same street as my cousin's sign
10 also disappeared.

11 5. On impulse the Saturday before the election, I stood with a "Yes on 8" sign on a corner
12 for approximately four hours. Although I received many people who honked and supported me, I
13 also had a number of people yell "No on 8," shake their fists at me, call out "shame," and give
14 me a thumbs down.

15 6. One man who was going the opposite way from where I stood stopped his car, stood up
16 (I believe through his sun roof), and shouted "You despicable filthy bag of shit!" at me.

17 7. Several cars drove around and around the block and yelled things like "You bitch" each
18 time they drove by.

19 8. One car with several men in it stopped, and a man in the back seat opened the door and
20 threw something right at me. Luckily, the object missed me, but I could not find the object that
21 he threw at me, so I do not know what it was.

22 9. One woman stopped her car and yelled "Get the hell out of here. Who do you think
23 you are, bringing that hate into my neighborhood?" I tried to tell her that I am a 4th generation
24 San Franciscan, who owns a house four blocks from where I was standing. However, the woman
25 kept screaming and drowning me out. She drove away, and came back two more times.

26 10. On January [REDACTED], a letter I wrote was published in [REDACTED], the official
27

28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 publication of the San Francisco **REDACTED**); on January **REDACTED**, **REDACTED**, a letter I wrote was
2 published in **REDACTED**, the paper of my employer, the University of **REDACTED**.
3 These letters were signed with my first initial and last name only.

4 11. One of my bosses (who I believe is a lesbian), and an openly gay man work behind
5 me at my office. On January **REDACTED**, **REDACTED**, the day after the publication of my letter in the paper of
6 my employer, I heard them talking about me in ways that are not complimentary, and when I
7 heard them speaking about me, I worried that my job might be in jeopardy.

8 12. On February **REDACTED**, **REDACTED**, the department head asked to speak with me, and in short, he
9 told me that he could not guarantee my job beyond the current year. He suggested that I keep my
10 options open. I am not sure that my support for Proposition 8 has led to my job being in
11 jeopardy, but I suspect that it has put it in jeopardy.

12 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
13 AND CORRECT.

14
15 Executed on:

REDACTED**REDACTED****REDACTED**

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #16 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
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 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>IN SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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25
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation in August 2008 of \$X,XXX to
6 ProtectMarriage.com - Yes on 8, a Project of California Renewal. My wife also donated \$X,XXX
7 to ProtectMarriage.com in late October.

8 4. Because of my donation in support of Proposition 8, my name was listed on the "List
9 of Shame" at the Californians Against Hate website.

10 5. After my name appeared on the Californians Against Hate website, I was contacted by
11 our local [REDACTED] television affiliate to do a television interview on the "List of Shame." On
12 September [REDACTED], [REDACTED], this interview appeared on television here in [REDACTED]. The interview
13 appeared as part of a larger piece on Proposition 8 on the evening news.

14 6. On the evening of September [REDACTED], [REDACTED], after the interview appeared, I received a hate
15 call. My family was not home at the time, and a female caller left a message on our answering
16 machine. Using sarcasm, , she told us we must be proud of our decision to donate to Proposition
17 8.

18 7. Prior to doing the interview, I had let two other partners in my accounting business
19 know about my decision to participate in the interview; both of them were supportive of my
20 decision to appear on television as a supporter of Proposition 8.

21 8. Someone at my workplace saw my name and donation posted online, and told the
22 human resources department where I work about my donation to Proposition 8.

23 9. Several days after the November 2008 election, the partner who oversees the human
24 resources department and the human resources director let me know that someone had pointed
25 out that my name appeared online as part of the blacklists of people who had supported
26 Proposition 8 circulating on the internet. I do not believe that we received any complaints from
27

28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 clients about my donation.

2 10. I also received a postcard, at work, from an anonymous gay couple opposed to our
3 donation. I still have the postcard, which states:

4 I'm a bank executive and my partner is an IT manager. We are gay, and we both served in
5 the military during the Vietnam War. We got married recently, after being together for 30
6 years, but that's in limbo now thanks to the Great Religious War of 2008 in which the
7 sanctity of marriage was preserved. What is important, in addition to marriage being
8 saved, is that folks like us are relegated to permanent second class citizenship, so that we
9 don't have the same hospital visitation rights as you, or the ability to file a joint tax return,
or the pleasure and security that comes with knowing your committed relationship is
recognized by the state. We deserve to be adrift without rights for the rest of our lives.
Meanwhile, we will continue to pay our taxes to support your school systems for your
children.

10 We just hope you are proud of your participation in this Great Crusade. Just think of how
11 you have contributed to the economy with the money you donated! It doesn't matter that
12 there are thousands of worthwhile charities that could have used those funds to feed
starving people, clothe the homeless, and find cures for cancer and other life-threatening
diseases. You must be so proud!

13 11. My name and address are listed on the eightmaps.com website.

14 12. Although I would donate to a cause similar to Proposition 8 in the future, I believe
15 that there are people who would be afraid to donate because of the harassment of supporters of
16 Proposition 8..

17 13. Personally, I am most upset about the desecration of locations that we deem sacred,
18 and the vilifying of our church online and in the press. It seems shameful that the hateful and
19 personal nature of these actions have been justified in any measure in a country with a long
20 history of freedom of religion.
21

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORR **REDACTED** **REDACTED**
24 Executed on: **REDACTED**
25 **REDACTED**

26
27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #17 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
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*Attorney for Defendants Dennis J. Herrera and
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*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

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 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

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 Scottsdale, Arizona 85260
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 17 **United States District Court**
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 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I served as a coordinator for Proposition 8 at my parish.
6 Among the tasks that I performed as the coordinator were to go to the diocese and obtain inserts
7 for our weekly church bulletins. I also distributed these inserts to other churches, including some
8 churches that were not Catholic churches.

9 4. On November 2, 2008, the Sunday before the November 2008 election, two of these
10 inserts were placed in each church bulletin.

11 5. After Mass on November 2, 2008, I attended a pancake breakfast at my church.

12 6. On my way to the pancake breakfast, I noticed that several signs supporting
13 Proposition 8 that had been placed near the church had been removed. I replaced those signs
14 with ones I had in my car.

15 7. After replacing the signs, a woman and her daughter told me that she did not like me
16 putting up signs supporting Proposition 8.

17 8. I asked the woman if she was a parishioner at my church, and she replied that she was a
18 parishioner. I am not a confrontational person, and I told her that our faith required the woman
19 and her daughter to support Proposition 8, and discussed the basic elements of Proposition 8.

20 9. The woman and her daughter continued ranting about my support of Proposition 8 for
21 several minutes, before leaving.

22 10. As a coordinator for Proposition 8 at my parish, I also distributed signs supporting
23 Proposition 8. This is why I had signs in my car on November 2, 2008, which I could use to
24 replace the ones that had been removed near the church.

25 11. On five occasions in the weeks leading up to the November 2008 election, I put out
26 Yes on 8 signs. On each of these five occasions, the signs were removed. On one of these
27

28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

occasions, the sign was gone within two or three hours of me putting it out.

12. Although I would support a cause similar to Proposition 8 in the future, these incidents shook me to the core.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: REDACTED

REDACTED

REDACTED

Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #18 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>IN SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Louisiana over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I gave \$X,XXX to National Organization for Marriage
6 California - Yes on 8, sponsored by National Organization for Marriage.

7 4. Shortly after the passage of Proposition 8 in November 2008, a few of my colleagues
8 informed me that an email had been sent to the [REDACTED], my colleagues, and the alumni
9 director from an alumna living in Georgia. The alumna stated that he would no longer contribute
10 to the [REDACTED], because he had read my name on a list of donors to Proposition
11 8.

12 5. If I was still employed as an untenured professor, this email may well have intimidated
13 me. However, even though I retired as a chaired full professor, I still find this email irritating.

14 6. I have had political opponents in other causes, but I have never seen political
15 opponents act so out of bounds as the opponents of Proposition 8 have acted.

16 7. In the future, I will think twice about supporting a cause similar to Proposition 8,
17 because my son lives and works in San Francisco, California with my two granddaughters, and I
18 worry that someone could go after them.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
20 AND CORRECT.

21
22 Executed on: [REDACTED]

[REDACTED]

[REDACTED]

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #19 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**XXXX** to ProtectMarriage.com - Yes on 8, a
6 Project of California Renewal.

7 4. In support of Proposition 8, I also organized and hosted wave parties, where supporters
8 of Proposition 8 would gather and wave at passing motorists. I also made phone calls and
9 participated in phone banks on several occasions, making calls in support of Proposition 8. On
10 November 4, 2008, I called supporters of Proposition 8 from 10:00 a.m. until 6:00 p.m.

11 5. In support of Proposition 8, I also placed a Yes on 8 yard sign in my front yard.

12 6. There is a lesbian couple who lives near me. These women have been customers of my
13 business for several years, and I have helped them with yard work in the past. When the couple
14 saw the sign in my front yard, they told me that they would no longer patronize my business.
15 They have not patronized my business since I placed the yard sign in my yard.

16 7. Sometime in October, this Yes on 8 yard sign disappeared from my yard.

17 8. My business is listed on YellowPages.com. YellowPages.com allows customers of a
18 business to post reviews of the services provided by the business. As of February 6, 2008, the
19 only review for my business on YellowPages.com states: "This company was a donor to the
20 California "Yes on 8" campaign, which took away existing equal rights for same-gender
21 couples." The review then lists my name and the Secretary of State's website, which lists the
22 donation that I made in support of Proposition 8. A true and correct copy of this review as it
23 appeared on February 6, 2008 is attached as Exhibit A.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 9. These incidents would not change my support for a cause similar to Proposition 8 in
2 the future. However, at any future wave parties, I would make sure that we have at least one man
3 with each group of wavers, to ensure the protection and safety of the teenagers who are
4 participating, and to keep confrontations with people opposing a cause similar to Proposition 8 at
5 a minimum.

6 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
7 AND CORRECT.

8
9 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #20 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

REDACTED

YELLOWPAGES.COM

http://www.yellowpages.com/

REDACTED

REDACTED

revi...

Case 2:09-cv-00058-MCE-DAD

Document 123-2

Filed 06/03/2009

Page 2 of 2

YELLOWPAGES.COM

Standard | Distance | Phone Number

Home >

REDACTED

> Name Search

REDACTED

> More Info - E

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Based on 1 review.

Rate it | Read Reviews

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Send To Mobile | Map It | E-mail It | Get Directions | Search Nearby | Save This Listing | Save a Note

"Give Us A Ring"

USER REVIEWS:

★ ★ ★ ★ ★

Based on 1 review.

Values

Posted by not2shy on 11/08/2008

★ ★ ★ ★ ★

Not Recommended

This company was a donor to the California "Yes on 8" campaign, which took away existing equal rights for same-gender couples.

REDACTED

REDACTED

on REDACTED http://cal-access.ss.ca.gov/Campaign/Measures/Detail.aspx?id=1

REDACTED

&session=2007

REDACTED

REDACTED

Report Abuse

Respond to This Review

Read All Reviews by not2shy

Rate This Review:

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Part of the new at&t

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Some data provided by Localize and Acorn.

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	--

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. I am a member of the **REDACTED**, who donated \$**X,XXX,XXX** as a group to
6 support Proposition 8.

7 4. In support of Proposition 8, I spoke to many individuals about Proposition 8, and was
8 successful in having some people who intended to vote "no" on Proposition 8 change their votes
9 to "yes" on Proposition 8.

10 5. In support of Proposition 8, I also placed a "Yes on 8" sign on my front lawn. I live on
11 the main street of a private country club.

12 6. My neighbor, who is an attorney, stopped me about the sign. He told me that I was a
13 "bigot" and an "enabler." My neighbor was angry and belligerent when he stopped me to speak
14 to me about Proposition 8.

15 7. Many of the members of the country club have made rude comments to me about my
16 sign. The openly gay members of the country club have changed their attitudes toward me. They
17 used to greet me warmly; now, they give me looks of disdain and do not greet me as I pass.

18 8. After Proposition 8 passed in the November 2008 election, a well-known Hollywood
19 person put a "No on 8" sign on my lawn. After I took the "No on 8" sign down, this person put
20 up another "No on 8" sign. I continued taking down the "No on 8" signs that this person put up,
21 and this person continued to take them down for approximately two weeks after the election.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORRECT.

24 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #21 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>IN SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 **Declaration of [REDACTED] in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made phone calls to remind citizens in Sonoma County to
6 vote for Proposition 8, and I obtained a half dozen signs to give to others to put on their property.

7 4. I live on a well-traveled residential street, and in support of Proposition 8, I placed two
8 "Yes on 8" signs in my yard in early October 2008. I have two patches of lawn on either side of
9 my front stairs, and I placed one "Yes on 8" sign in each patch. On the second night that the
10 signs were out, someone removed them.

11 5. After having our signs stolen, I began bringing in the replacement signs at night, so that
12 they would not be stolen again.

13 6. Around October 15, someone left a note under my front doormat. The note appeared to
14 have been written by a young person. There was a drawing on the note, and a message that said
15 Yeshua loves me (presumably a homosexual), and does not love those who hate.

16 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
17 AND CORRECT.

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19 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #22 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated over **\$X,XXX** to ProtectMarriage.com - Yes on 8,
6 a Project of California Renewal.

7 4. In support of Proposition 8, I also placed a bumper sticker on my car.

8 5. Because of my support of Proposition 8, my name was published on a "blacklist" of
9 donors to Proposition 8. This made me concerned for the safety of my boys, and I instructed the
10 principal at their school to alert the teachers that only my wife or I was to pick them up from
11 school. Although most of the websites with blacklists have since been taken down, the San
12 Francisco Chronicle now has a site where donors to Proposition 8 can be looked up.
13 Additionally, I am very concerned about www.eightmaps.com, where people can obtain maps
14 directing them to the homes of people who supported Proposition 8.

15 6. About a week after the November 2008 election, someone ordered a book containing
16 the greatest homosexual love stories of all time and sent it to me. Amazon would not tell me
17 who sent this book.

18 7. On the night of the election, when Proposition 8 passed, someone painted the face of
19 the statute of Mary, the Mother of Jesus, outside of my church orange.

20 8. Because of these incidents, if I donate to a cause similar to Proposition 8 in the future, I
21 may donate a lesser amount under the disclosure threshold, or donate to an organization in a way
22 that will not require the disclosure of my name.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
24 AND CORRECT.

25 Executed on: **REDACTED**

REDACTED

REDACTED

26 Declaration of **REDACTED** in
27 Support of Plaintiffs' Motion for
28 Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #23 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	---

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I called and emailed all of my friends and family, asking
6 them to support Proposition 8. I put yard signs out, and contacted my representatives to tell them
7 to support Proposition 8.

8 4. Before the November 2008 election, my daughters and I were walking our dogs. While
9 we were walking, I noticed that someone had crossed off the word "Yes" on the "Yes on 8" yard
10 sign in my front yard, and written "No" in its place.

11 5. In support of Proposition 8, I also placed a bumper sticker on my car. Long before the
12 election, someone ripped the bumper sticker off of my car while I was parked in a shopping area.
13 Instead of replacing this bumper sticker with a second bumper sticker on the outside of the car, I
14 replaced it with a bumper sticker taped to the inside of my car window.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
16 AND CORRECT.

17
18 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #24 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>IN SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

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 27
 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made donations for the costs of signs, and to the
6 American Family Association.

7 4. I am a Pastor, and our church family participated in a peaceful demonstration at a
8 major intersection, by holding signs and praying with other gathered demonstrators. While we
9 were participating in this demonstration, some people driving by made obscene gestures and
10 yelled obscenities at us.

11 5. Because of the behavior of these motorists, if I were to support a cause similar to
12 Proposition 8 in the future, I would not bring children to any demonstrations.

13 6. In support of Proposition 8, I also placed a yard sign in my yard and placed a sticker on
14 my wife's car.

15 7. At the end of October 2008, the sign was removed from our yard one night. We live
16 on a cul-de-sac with almost no traffic. At about the same time, while my wife's car was parked
17 at school, someone ripped the sticker off of her car.

18 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
19 AND CORRECT.

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21 Executed on: [REDACTED]

[REDACTED]

[REDACTED]

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #25 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

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 28 **Declaration of [REDACTED] in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated money toward signs and bumper stickers.

6 4. In support of Proposition 8, I also placed flyers in our church bulletin, and placed "Yes
7 on 8" signs in my yard, as well as in areas where the city had approved the posting of signs.

8 5. During October 2008, I had four signs stolen off of my property. In order to remove
9 the signs, the thief had to climb a brick retaining wall that is approximately 5.5. to 6 feet tall.

10 The signs were stolen both at night and during the day.

11 6. At least four of the signs that I placed in city-approved areas were also stolen.

12 7. In support of Proposition 8, I also placed flyers on people's cars. While doing this, a
13 man started yelling at me. He quickly became angry, and called me a "bigot."

14 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
15 AND CORRECT.

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17 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #26 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF REDACTED IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 **Declaration of REDACTED in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Michigan over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated approximately \$**XXX** to National
6 Organization for Marriage.

7 4. Although I have supported causes similar to Proposition 8 in the past, my only public
8 support of Proposition 8 was the donation I made to the National Organization for Marriage
9 California - Yes on 8, Sponsored by National Organization for Marriage ("National Organization
10 for Marriage"). The only way I could be publicly identified as supporting Proposition 8 was
11 through the public disclosure of my personal information as a result of my donations to the
12 National Organization for Marriage.

13 5. When I made my donation, I had no idea that my name would be made public. It had
14 been my intention to remain anonymous. Had I known that my name would be posted online, I
15 probably would not have donated.

16 6. I am an author of three books under the pseudonym of **REDACTED**. I regularly check
17 the internet to see what sort of information is being published about me.

18 7. In December, I performed one of my regular checks of the internet and discovered that
19 my name had been posted on a "BoycottH8ers List" and listed as an intolerant "H8er" for
20 supporting Proposition 8 in California. I support Proposition 8 because I believe that Natural
21 Law is the basis of the U.S. Constitution and all laws. I am not a "H8er."

22 8. After being listed as a "H8er" on the internet, I sent an email to the Christian Legal
23 Crew, and told them that I wished I would have known that my name would be posted on the
24 internet if I made a donation. A true and correct copy of the text of that email is attached as
25 Exhibit A.

26
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28 **Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment**

1 9. In the future, I would be much less likely to get involved in a cause similar to
2 Proposition 8 that does not assure my confidentiality.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
4 AND CORRECT.

5
6 Executed on:

REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #27 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs


Case 2:09-cv-00058-MCE-DAD Document 130-2 Filed 06/03/2009 Page 1 of 2 **John Doe #27**

EXHIBIT A

John Doe #27

Case 2:09-cv-00058-MCE-DAD Document 130-2 Filed 06/03/2009 Page 2 of 2

From: [REDACTED]
Subject: Boycott Alert??
Date: Fri, 5 Dec 2008 05:40:47 -0500

Dear Christian Legal Crew,
Because I support(ed) Natural Law as the basis for ALL LAW. as in the Constitution, my name gets posted on the internet, and sullied, as a discriminator and hater? Too bizarre. This has the potential to quash dissent and jeopardize contributors personal safety. Wish I would have known this before I contributed... 

Sincerely,

[REDACTED]

<http://www.boycotth8ters.com/cresults.asp?> [REDACTED]
[REDACTED]

John Doe #28

Case 2:09-cv-00058-MCE-DAD Document 131 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED]
 IN SUPPORT OF PLAINTIFFS'
 MOTION FOR SUMMARY
 JUDGMENT**

Date: TBD
 Time: TBD
 Judge England

Decl. of [REDACTED] in Support of Plaintiffs' Motion for Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I made two separate donations to
6 ProtectMarriage.com – Yes on 8, each in the amount of \$**X,XXX.XX**.

7 4. I did not engage in any other public support of Proposition 8, such as putting up a yard-sign or
8 placing a bumper-sticker on my vehicle. The only way I could be publicly identified as supporting
9 Proposition 8 was through the public disclosure of my personal information as a result of my donations
10 to ProtectMarriage.com – Yes on 8.

11 5. On November 11, 2008, at 11:55 a.m., I received a voice mail from an unknown male at my
12 workplace that said: “Hey, it’s really disheartening to know that one of my neighbors supported
13 Proposition 8 so heavily. What a scum-fuck!” A true and correct recording of this voice mail is attached
14 as Exhibit A.

15 6. The phone number the unknown male called from was blocked, so I was unable to obtain the
16 number from my caller-identification system.

17 7. I filed a report of this harassing phone call with the **REDACTED** Police Department. A true and
18 correct copy of that report is attached as Exhibit B.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
20 CORRECT.

21 Executed on: **REDACTED**

REDACTED

REDACTED

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #28 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
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Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit B

Print Report

Page 1 of 1

Case 2:09-cv-00058-MCE-DAD Document 131-2 Filed 06/03/2009 Page 2 of 2

John Doe #28

REDACTED

This incident has been reported to the
 REDACTED Police Department
 and is pending approval

REDACTED Police Department
 REDACTED Main Street
 REDACTED CA REDACTED
 REDACTED

General Information

Incident Type Harassing Phone Call
 Temporary Report Number T08000053
 Report Date 11/20/2008 12:48 PM

Reporting Person Information

Name REDACTED
 Home Address REDACTED
 Home Phone 000-000-0000
 DOB REDACTED

Incident Information

Incident Location REDACTED CA REDACTED
 Incident Time (start) 11/11/2008 11:55 AM
 Incident Time (end) 11/11/2008 12:00 PM

Incident Description

An unknown male from a phone number that showed up as "870" left me a harrassing and profane voice mail that said: "Hey, it's really disheartening to know that one of my neighbors supported Proposition 8 so heavily. What a scum-fuck!". I have an MP3 copy of that voice mail as the voice mail system delivers it to the email inbox. I can provide the copy at any time.

Print This Report Close Window

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*

16 ** *Designated Counsel for Service*

17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

19 **ProtectMarriage.com, et al.,**

20 *Plaintiffs,*

21 *v.*

22 **Debra Bowen, et al.,**

23 *Defendants.*

24 **Case No. 2:09-CV-00058-MCE-DAD**

25 **DECLARATION OF [REDACTED]**
[REDACTED] IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY
JUDGMENT

26 Date: TBD
 27 Time: TBD.
 28 Judge England

29 Declaration of [REDACTED] in
 30 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of New York over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated \$**X,XXX** to National Organization
6 for Marriage - Yes on 8.

7 4. Prior to the November 4, 2008 election, my name was published on SFGate.com, the
8 website of the San Francisco Chronicle, as a supporter of Proposition 8.

9 5. After my name appeared on the SFGate.com website as a supporter of Proposition 8, I
10 received several harassing emails, which I deleted from my email account.

11 6. At approximately **X:XX** p.m., on February **X**, 2009, I returned to my home to find two
12 men standing outside the house waiting for me. These men were reporters for the **REDACTED**
13 **REDACTED**. Although I had been sent an email earlier in the day telling me that these reporters
14 would be at my house later in the day, I had not received this email by the time I returned home.
15 After speaking briefly with the reporters, the reporters left my house.

16 7. The presence of these reporters at my house angered me. My husband recently had a
17 heart attack, and I worry that the stress of people showing up at my house without warning,
18 because of the publication of my address, could cause aggravation of his heart or other health
19 problems.

20 8. On February **X**, **REDACTED**, an article about my donation to Proposition 8 appeared in the
21 **REDACTED**. A true and correct copy of that article is attached as Exhibit A.

22 9. On February **X**, **REDACTED**, after the article appeared in the **REDACTED**, I received
23 approximately 45 emails at my gmail account, and another 10-12 at my personal email account.
24 True and correct copies of the text of several of the emails that I received are attached as Exhibit
25 B.

26 10. The emails I received included threats harassment, and reprisals. For example, one
27

28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 email states: "Your donation to Yes on prop 8 purchased you a BOYCOTT from gays/lesbians
2 and our friends." Another states: "you work is garbage and should be defaced!" Still another
3 states: "[O]therwise you better not ever show your face again at any gay gathering."

4 11. I am an artist, but I also regularly write on art and culture. After publication of the
5 article in the **REDACTED**, one of my former editors received a letter from a member of
6 the homosexual community regarding my donation in support of Proposition 8. He forwarded
7 this letter to me, and I responded. True and correct copies of our communications, including the
8 letter sent to my former editor, are attached as Exhibit C.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
10 AND CORRECT.

11
12 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #29 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

Artist draws gays' ire for same-sex nups ban support

Case 2:09-cv-00058-MCE-DAD Document 132-2 Filed 06/03/2009 Page 2 of 2

John Doe #29

Artist draws gays' ire for same-sex nups ban support

Tuesday, February 3rd 2009, 4:00 AM

LOS ANGELES - A [REDACTED] artist known for her colorful canvases of drag queens and gay pride parades gave [REDACTED] to help pass California's ban on same-sex marriage.

[REDACTED] made her sizable contribution to the National Organization for Marriage's "Yes on 8" fund in June, a [REDACTED] review of campaign records found.

The Westchester County woman was one of tens of thousands who poured a total of more than \$83 million into the coffers of Proposition 8 support groups - money that helped convince California voters to overturn an earlier court decision granting gays the right to marry in the Golden State.

Questioned outside her home in [REDACTED] - the same town where [REDACTED] and [REDACTED] live - she refused to discuss her donation last night.

When asked how she could have donated money to fight gay marriage after making money from her depictions of gays, she just said, "So?"

"If you write that story, I'll sue you," she said.

On her Web site, [REDACTED] says gay parades are a "marvelous spectacle" and "assertion of solidarity."

"It is an erotic celebration loosed for a day to keep us all mindful that Dionysus is alive, powerful and under our own porch," said [REDACTED], a former art critic for the now-defunct [REDACTED]

Gay activists felt betrayed at word of [REDACTED] donation.

"If I were a buyer of her work, I wouldn't buy it anymore," said Charles Leslie, co-founder of Leslie/Lohman Gay Art Foundation in Manhattan.

Leslie stopped short of calling for a boycott of [REDACTED] work, but the threat of boycotts was part of the reason supporters of Proposition 8 asked a judge to keep secret the names of most donors.

The federal judge denied the request last Thursday.

With [REDACTED]

in [REDACTED].

[REDACTED]

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 1 of 27

Exhibit B

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 2 of 27

From: Mark Knowles <lilabner2@yahoo.com>

Date: February 3, 2009 12:33:52 PM EST

To: [REDACTED]

Subject: "So..?" That's the best you can do? That was Bush's response when asked about weapons of mass destruction

Thanks for trying to annul my marriage by supporting prop 8 with money you made from painting homosexuals. Guess you just think of gays as disposable "spectacles" for you to make money from. What a crappy person you are.

John Doe #29

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From: Tod Wohlfarth <tod@rockpaperpixel.com>

Date: February 3, 2009 12:30:17 PM EST

To [REDACTED]

Subject: Very sad

The pain and suffering you have inflicted upon the gay community from your hypocritical stance on gay marriage is just atrocious.

You should be ashamed of yourself and your out and out abuse of the trust that the gay community placed in you. You should apologize for your actions and deceit. In addition, if you don't fully embrace our community, you should stop using us as your subject matter in this incredibly exploitative manner. You must realize that your actions are no different than an artist depicting the black community contributing to white supremacist organizations. It is NO different in our eyes. You may not agree, but your actions are a violence upon our community.

I wish you well and I hope that you find the peace within yourself to move forward in your life with love and not hate.

Tod Wohlfarth

Principal Designer

Rockpaperpixel

135 West 20th Street

Suite 204

NY, NY 10011

T 212.777.8949

F 646.290.9042

tod@rockpaperpixel.com

Check out our site at <http://www.rockpaperpixel.com>

John Doe #29

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From: Roman Feeser <romanfeeser@yahoo.com>

Date: February 3, 2009 12:10:41 PM EST

To: [REDACTED]

Subject: Shame on You!

As an artist you should know better.

How limited your work must be. I guess when you reach the ability to honor all of God's creation's as equals you then will reach your true potential.

Until then your work is fluff!

Good luck.

Roman Feeser

www.theplayabouthenry.com

<http://www.youtube.com/watch?v=HTU4SJ7bGBs>

John Doe #29

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From: Paul Regan <paulreganesq@hotmail.com>

Date: February 3, 2009 12:35:49 PM EST

To: REDACTED

Subject: REDACTED

Just another hateful fraudster that has no problem leeching off of a population as long as that population remains one rung below.

I for one was really never that impressed with your "work". I will bang some heads together to get these queens to boycott anything you have a hand in.

Paul Regan

John Doe #29

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From: Rutherford <rutherford_r@mac.com>

Date: Tue, Feb 3, 2009 at 12:19 PM

Subject: you disgust me

To: REDACTED

you're disgusting, i hope you never sell another "artwork". i certainly will do everything in my power to publicize your two-faced agenda.

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 7 of 27

John Doe #29

From: <wunderdogny@aol.com>
Date: Tue, Feb 3, 2009 at 11:28 AM
Subject: your art
To: [REDACTED]

[REDACTED]

In light of the recent disclosure of your sizeable donation to Proposition 8 and your obvious desire to take away rights from gay and lesbian Americans, your work has become crystal clear to me and anyone who now views it. You are nothing more than a perpetuator of base stereotypes. In fact, you are guilty in the worst way.

Lautrec painted the Paris underworld because it was a world he inhabited, a world he knew and loved. You can see his genuine affection for the prostitutes and marginal characters so beautifully depicted in his work (not that I am comparing your work with that of such a legendary artist). You, on the other hand, paint of a world you obviously view with disdain and self-imagined superiority. I have to wonder if your work is meant to confirm the viewers' worst ideas about gay men. Your work reflects your view of the subjects as "objects" and "less than." Doesn't this at best diminish and at worst negate your work? You must have been thrilled with the passing of Proposition 8, since it furthers your wish for gays to be seen as second class citizens, objects meant for your amusement, modern day eunuchs, if you will.

You have done a great disservice to the gay and lesbian community and to our country. Years from now when amazed Americans express their horror at the way gays and lesbians were treated "all those years ago", just as we are now shamed and disgusted at how Jews and African Americans were treated fifty years ago, it is *you*, [REDACTED], they will be referring to. You are the oppressor the history books will note. Therein lies your fame.

Shame on you for profiting off the very people you so mightily wish to keep down, American citizens whose rights you helped take away and whose discrimination you have bought and paid for. This will be your legacy and the context in which your body of work will be judged, if indeed you are lucky enough to have it remembered at all. What a pity.

Emphatically,
Alan Stephenson

Great Deals on Dell Laptops. Starting at \$499.

John Doe #29

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From: Mark <mark5e@bellsouth.net>

Date: Tue, Feb 3, 2009 at 1:05 PM

Subject: Donation to Yes on prop 8

To: [REDACTED]

[REDACTED],

Your donation to Yes on prop 8 purchased you a BOYCOTT from gays/lesbians and our friends.

YOU particularly offend me, since you profit from making images with gay themes, and selling them to MY community, well honey that gravey train left the station, go paint by and for BREEDERS! Maybe they need another LOSER to paint Mormon murals.

John Doe #29

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From: Brian Petty <brianepetty@hotmail.com>

Date: Tue, Feb 3, 2009 at 12:16 PM

Subject: REDACTED

To: REDACTED

REDACTED

Madam,

I was disgusted to see the following article in the REDACTED. The fact that you have, at least in part, made a living through your relationship with the GLBT community and then turned around and supported our oppression is inexcusable. (The fact that you also gave \$ on REDACTED to the reprehensible Swift Boat people is also reprehensible, but at least you don't have a whole collection of paintings of Senator Kerry to shill.)

Find some other minority community to exploit. I for one will have none of your work in my home, and will encourage my art collector/dealer friends to do likewise. I will also refuse to subscribe to any publication to which you contribute, and will refuse to patronize any gallery exhibiting your work. There are many other artists out there who are doing good work and who are not two-faced hypocrites. Perhaps instead you could sell your "work" to the Mormon church...

Know that I am not alone in this sentiment. And please do remember that the "assertion of solidarity" (your phrase) happening at gay pride parades has nothing whatsoever to do with the likes of you. You really do have very little of which to be proud.

Brian Petty.

REDACTED, REDACTED, made her sizable contribution to the National Organization for Marriage's "Yes on 8" fund in June, a REDACTED review of campaign records found. The REDACTED woman was one of tens of thousands who poured a total of more than \$83 million into the coffers of Proposition 8 support groups - money that helped convince California voters to overturn an earlier court decision granting gays the right to marry in the Golden State.

Questioned outside her home in REDACTED - the same town where REDACTED live - she refused to discuss her donation last night. When asked how she could have donated money to fight gay marriage after making money from her depictions of gays, she just said, "So? If you write that story, I'll sue you."

On her Web site, REDACTED says gay parades are a "marvelous spectacle" and "assertion of solidarity." "It is an erotic celebration loosed for a day to keep us all mindful that Dionysus is alive, powerful and under our own porch," said REDACTED, a former art critic

John Doe #29

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for the now-defunct **REDACTED**. Gay activists felt betrayed at word of **REDACTED** donation. "If I were a buyer of her work, I wouldn't buy it anymore," said Charles Leslie, co-founder of Leslie/Lohman Gay Art Foundation in Manhattan.

Windows Live™: E-mail. Chat. Share. Get more ways to connect. **See how it works.**

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 11 of 27

From: kw <kevinscribbles@gmail.com>

Date: Tue, Feb 3, 2009 at 11:08 AM

Subject: REDACTED, tsk tsk, using gays for your livelihood then fighting against their equality--

To: REDACTED

You're basically a vampire, disgusting old crone who uses people. You're a discredit to the human race and utterly nauseating in every way.

John Doe #29

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From: Matt Barolo <mbarolo@haring.com>

Date: Tue, Feb 3, 2009 at 12:15 PM

Subject: ?

To: [REDACTED]

Did you actually donate \$\$ to support Proposition 8?

I find that - um - deeply shocking.

If it is true - I hope you take a long look in the mirror and feel the hate that's looking back at you.

For shame.

For shame.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 13 of 27

From: R Z <robert_zachary@hotmail.com>
Date: Tue, Feb 3, 2009 at 10:22 AM
Subject: You better explain QUICKLY
To: [REDACTED]

your decision to give money to Yes on Proposition 8. Because otherwise you better not ever show your face again at any gay gathering. Do you have any gay friends? How could you do this to them?

Robert

Windows Live™ Hotmail®:...more than just e-mail. **Check it out.**

John Doe #29

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From: James Anthony <jamesanthonyc@gmail.com>
Date: Tue, Feb 3, 2009 at 10:14 AM
Subject: Garbage.
To: [REDACTED]

BOOOOOOOOOOOOOOO! Bigot! Hypocrite! your work is garbage and should be defaced!

Love Always
James Anthony + David Lopez
Married 4 years
Northampton, MA

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 15 of 27

From: <dkershaw@optonline.net>

Date: Tue, Feb 3, 2009 at 9:20 AM

Subject:

To: [REDACTED]

You are an artist...a bullshit artist...And EXPLOITER a money hungry old hag...Signed Denise Kershaw

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 16 of 27

From: charley stark <mclean04@yahoo.com>

Date: Tue, Feb 3, 2009 at 1:12 PM

Subject: Gay Pride

To: [REDACTED]

Go to hell.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 17 of 27

From: <gfarquhar@aol.com>

Date: Tue, Feb 3, 2009 at 11:17 AM

Subject:

To: REDACTED

REDACTED to prevent me from my pursuit of happiness?...

GARY FARQUHAR

Great Deals on Dell Laptops. Starting at \$499.

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 18 of 27

From: kenlindley@optonline.net

Date: February 3, 2009 1:20:41 PM EST

To: [REDACTED]

Subject: essay on hypocrisy and exploitation

Just read about your donation to the Yes on 8 campaign. Can't wait to read your essay exonerating yourself of hypocrisy and exploitation.

John Doe #29

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From: Chris Triebsch <ctriebsch@hotmail.com>

Date: Tue, Feb 3, 2009 at 1:24 PM

Subject: Shame on you

To: [REDACTED]

What kind of human being are you? The people in your work are human beings, not animals. And they should be treated as such.

Windows Live™ Hotmail®:...more than just e-mail. **Check it out.**

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 20 of 27

From: Erik <erikwm@gmail.com>

Date: Tue, Feb 3, 2009 at 1:28 PM

Subject: LOL

To: [REDACTED]

Saw you in the [REDACTED] ! Just wanted to say, you've taken stupidity to an artistic level. If they gave out Darwin Awards for career suicide, you would so be getting one. Nice job, idiot! LOL

John Doe #29

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From: Marc Lallanilla <marclallanilla@hotmail.com>

Date: February 3, 2009 2:27:36 PM EST

To: [REDACTED]

Subject: hi [REDACTED]

[REDACTED]: I was interested to read that you supported Prop. 8.

Can you explain your reason for denying gays and lesbians their basic civil rights? I'd hate to think it's because you're a bigot. You're not a bigot -- are you?

Marc Lallanilla

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 22 of 27

From: GREGORY TRUESDELL <gtruesdell@msn.com>

Date: February 3, 2009 2:14:03 PM EST

To: [REDACTED]

Subject: pro hate

giving to prop 8 was your choice burning your art work that i have aquired over the years is mine

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 23 of 27

From: SD HOUSECHICK <sdhousechick@yahoo.com>

Date: February 3, 2009 2:08:38 PM EST

To: REDACTED

Cc: REDACTED

Subject: Artist Starving days await you - thanks to your YesOnH8

Reply-To: sdhousechick@yahoo.com

With your YesOnH8 contribution, you have proven yourself to be a homophobe and user of people.

I will be using my extensive contact list (including the East Coast) to ensure people know about you so they don't purchase any of your "art".

Hope you have fun in your return to Artist Starving Days!

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 24 of 27

From: Grace Nye <grace.nye@gmail.com>

Date: February 3, 2009 2:03:56 PM EST

To: [REDACTED]

You're willing to appropriate gay imagery in your art, but you don't want to see them granted actual rights and dignity? That's fascinating. I sincerely hope that you have a long think about human rights, pray to God if you believe in one, and change your mind about this. But that seems unlikely, considering that you've been painting gay people for years and you still passionately believe that they should be denied the right to marry.

Therefore, I hope you never sell a picture again. Have fun suing the

[REDACTED]!

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 25 of 27 **John Doe #29**

From: "Jack Gaffney" <jack@witmornyc.com>

Date: February 3, 2009 2:01:51 PM EST

To: REDACTED

Cc: REDACTED

Subject: You are a disgusting TURD of a woman to support the passage of PROP 8 - SHAME ON YOU

Jack Gaffney

President/C.E.O.

Witmor Worldwide Inc.

55 Bethune St. Ste. D905

New York, N.Y. 10014

212-645-3250/800-727-8898

917-609-3222 - emergencies and mobile

212-645-3280-fax

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 **John Doe #29** Page 26 of 27

From: "Ira Schechtman" <ischechtman@taftjobs.com>

Date: February 3, 2009 5:20:37 PM EST

To: [REDACTED]

Subject: you are trash

Just a short email (I am straight by the way) to let you know that you are the lowest form of life. You state that "gays offer a "marvelous spectacle and their parades are an "assertion of solidarity". You then contributed money to an organization against gay marriage!!! You should be ashamed of yourself you piece of trash. I hope that the arthritis and glaucoma that is awaiting you will end your career. Please call me at the number below so that I can repeat myself.

Ira Schechtman

Taft Associates

130 E 40 St

suite 1005

NY,NY 10016

212-447-5200x211

ira@taftjobs.com

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-3 Filed 06/03/2009 Page 27 of 27

From: wes jackson <wesbjack@yahoo.com>

Date: Tue, Feb 3, 2009 at 8:46 PM

Subject: gallery

To: [REDACTED]

THANKS FOR THE PROP 8

[REDACTED] IS RIGHT.....WILL BE CONTACTING YOUR PEERS, GALLERIES, ETC.

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 **John Doe #29** Page 1 of 5

Exhibit C

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 **John Doe #29** Page 2 of 5**From:** REDACTED**Date:** February 4, 2009 4:19:56 PM EST**To:** REDACTED**Subject: Re:** REDACTED

Thanks for clarifying the situation. I can see how it might irk some gay people that an artist relishes gay subjects in her paintings but supports a conservative position on marriage legislation. I'd take issue with the REDACTED on one item of their reportage, however, namely the question: "how she could have donated money to fight gay marriage after making money from her depictions of gays"? There are two implications here. That to paint a gay parade and oppose gay marriage is not compatible, and that REDACTED is indebted to gays and their causes because she likes to paint them. To the first proposition one simply need point out all the artist who painted nude women without supporting female emancipation. To the second, the key thing is that REDACTED paintings have whatever following they have because of their vision and their execution, not their subject. It would rather be like suggesting that a person who paints leopards is profiting off leopards and ought therefore not to support the skinning of leopards for fashion accessories or hearth rugs- again, hardly a consistent position, based as it is on a non sequitor.

Meanwhile, however, I'm very grateful to you for letting me know that, because we have stored in our archive previously published articles by the redoubtable REDACTED (who was a contributing editor for a while, but not for a couple of years now), the gay community will, at your instigation, be boycotting REDACTED. I might share this correspondence with readers in case some of my gay readers are not yet aware of the boycott. If I do, may I trouble you for your real name? You know ours, and we prefer to only use real names at artcritical.

Sincerely, REDACTED

REDACTED

Editor and Publisher, REDACTED

Art Critic/Contributing Editor, REDACTED

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 3 of 5

On Feb 4, 2009, at 12:15 PM, [REDACTED] wrote:

[REDACTED],

Thank you for your prompt response. I just wanted you to be aware that the Gay Community is looking at our adversaries and those who may support them. Please view at

[REDACTED]

Thank you again.

[REDACTED]

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 4 of 5

On 04 Feb 2009, at 14:08, **REDACTED** wrote:

Thanks for letting us know. Could you be more specific and point out some details that led to your decision? Is it something **REDACTED** has written here at **REDACTED**, for instance, or something she has done or said elsewhere?

BTW, good luck enforcing a GLBT boycott of a free art magazine.

REDACTED

REDACTED

Editor and Publisher, **REDACTED**

Art Critic/Contributing Editor, **REDACTED**

John Doe #29

Case 2:09-cv-00058-MCE-DAD Document 132-4 Filed 06/03/2009 Page 5 of 5

On Feb 4, 2009, at 1:10 AM, [REDACTED] wrote:

The GLBT community will be boycotting your organization for having an association with a person who endorses H8 and discrimination against us but has no conscious profiting off of us.

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>IN SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

24
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**XX** in support of Proposition 8, and my name
6 was disclosed as a donor to Proposition 8.

7 4. I also supported Proposition 8 by walking the precincts in San Mateo and San
8 Francisco. I also worked phone banks.

9 5. Because of my support for Proposition 8, I have received numerous harassing and
10 threatening emails and inquiries at my website. True and correct copies of some of these emails
11 and inquiries are attached as Exhibit A. One email states: "I tolerate you because I don't come to
12 where you are and slaughter you. . . . I will actively pursue your financial ruin through legal
13 means." Another email states: "Your company is now on a list I am producing of those that will
14 be boycotted and shut down soon."

15 6. These incidents with the emails make me want to fight harder for causes similar to
16 Proposition 8. However, from this point forward, I will be very careful about what I do in
17 support of similar causes. I will try to donate anonymously, and I will not speak out publicly on
18 similar causes, because I would fear for the safety of my children if I did so.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
20 AND CORRECT.

21 Executed on: **REDACTED**

REDACTED

REDACTED

22
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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #30 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

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tcassidy@porterscott.com
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mollie.lee@sfgov.org
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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

From: <tomcogburn@earthlink.net>
Date: Friday, October 31, 2008 8:58 PM
To: [REDACTED]
Subject: Re: Your Support of Proposition 8

You seem to have gotten "tolerance" confused with "passivity". I tolerate you because I don't come to where you are and slaughter you. However, I will not remain passive--I will actively seek to undermine your future as a business owner. I tolerate your existence, but I will actively pursue your financial ruin through legal means. Do you see the difference?

> [Original Message]

[REDACTED]

> To: <tomcogburn@earthlink.net>
> Date: 10/31/2008 7:42:08 AM
> Subject: Re: Your Support of Proposition 8

>

> How tolerant of you.

>

> tomcogburn@earthlink.net wrote:

>>

>> I saw that your company supports proposition 8. Suffice it to say
>> that your \$[REDACTED] will cost you untold money in lost revenue. People like
>> me will actively seek to reduce your customer base because of your
>> decision to support a hateful and discriminatory proposition.

>>

>> Tom Cogburn, San Francisco

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 269.22.11/1368 - Release Date: 4/9/08 4:20 PM

Date: Friday, November 07, 2008 2:22 AM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name :

Company :

Address :

City :

State :

Zip :

Phone :

email :

subject : REDACTED from Website

Comments : You should be ashamed of yourselves for supporting Proposition 8. I hope your company goes bankrupt.

submitButtonName : Submit

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 269.22.11/1368 - Release Date: 4/9/08 4:20 PM

John Doe #30

Date: Monday, November 10, 2008 8:22 PM
To: [REDACTED]
Subject: Inquiry from [REDACTED]'s Website

Values submitted from web site form:

recipient : [REDACTED]

Name : Mark N Melanson

Company :

Address :

City : San Francisco

State : CA

Zip : 94102

Phone :

email :

subject : [REDACTED] from Website

Comments : This company gave \$\$ to the Yes on 8 ? DISGUSTING!

Once that word gets out I dont think you will have very much business in this area. Maybe you should move your company elsewhere.

submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: <cameronscot@gmail.com>
Date: Thursday, November 13, 2008 2:57 PM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name : Cameron Scott

Company :

Address :

City : San Francisco

State : CA

Zip : 94110

Phone :

email : cameronscot@gmail.com

subject : REDACTED Inquiry from Website

Comments : Shame on you for contributing to Yes on 8. If you don't support gay rights, move your operations to the Central Valley. We are a big part of making this city great, and I guarantee you many of your employees and customers are members of the GLBT community.
submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: <hgwm31@hotmail.com>
Date: Thursday, November 13, 2008 10:54 PM
To: REDACTED
Subject: Inquiry from V REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name : Mitch Bryan

Company : N/A

Address :

City : San Francisco

State : CA

Zip : 94117

Phone :

email : hgwm31@hotmail.com

subject : REDACTED Inquiry from Website

Comments : I was thoroughly disgusted when I saw that you donated money to the Yes on 8 campaign... you should be ashamed of yourself. Your company is now on a list I am producing of those that will be boycotted and shut down soon

submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: <pfogerty@comcast.net>
Date: Saturday, November 15, 2008 9:21 AM
To: [REDACTED]
Subject: Inquiry from [REDACTED] Website

Values submitted from web site form:

recipient : [REDACTED]

Name : Patrick Fogerty

Company :

Address :

City : San Francisco

State : CA

Zip : 94103

Phone :

email : pfogerty@comcast.net

subject : [REDACTED] Inquiry from Website

Comments : I just discovered that [REDACTED] contributed to the Yes on Proposition 8 campaign. I can't tell you how disappointed I was to discover that you sponsored a proposition that succeeded in doing nothing but deny basic human rights, engender hate, and promote discrimination.

Rest assured that I will ensure friends, family, and colleagues know of your sponsorship, and rest assured that we will never do business with [REDACTED]
submitButtonName : Submit Query

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: <mikemcallister@mac.com>
Date: Saturday, November 15, 2008 9:44 AM
To: [REDACTED]
Subject: shame

Shame on you for supporting a proposition that stripped equal rights from some of your fellow Americans. You'll definitely never get any of my business, and I'm sharing this info with my friends and family.

Mike McAllister

--

No virus found in this incoming message.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

Date: Sunday, November 16, 2008 7:59 PM
To: [REDACTED]
Subject: Inquiry from [REDACTED] Website

Values submitted from web site form:

recipient : [REDACTED]

Name : San Franciscan

Company :

Address :

City : san francisco

State : ca

Zip : 94123

Phone :

email :

subject : [REDACTED] Inquiry from Website

Comments : Your contribution to yes on 8 has been noted, discrimination is not welcome in San Francisco or California for that matter. Your radical view to take rights away from human beings is the same reason we are fighting a war in Iraq against the Taliban who strips rights for human beings everyday.

submitButtonName : Submit Query

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

Date: Monday, November 17, 2008 10:47 PM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED
Name : Carlos
Company : Carlos
Address : 2222 oak
City : san francisco
State : ca
Zip : 94121
Phone :
email :
subject : REDACTED Inquiry from Website
Comments : shame on you
submitButtonName : Submit Query

--

Internal Virus Database is out-of-date.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: "Jason Durant" <jasonjdurant@gmail.com>
Date: Wednesday, November 19, 2008 12:04 PM
To: REDACTED
Subject: Your Donation to Prop 8

Dear REDACTED, please know that the GLBT community, which is known throughout the world as a peaceful, loving and harmonious group, is no longer going to settle for being treated with contempt. While I will not use profanity to express my outrage, I will tell you this: your commitment to Proposition 8 is tantamount to hatred against millions of your taxpaying fellow citizens who are just trying to make it in the world. Your contribution makes it that much harder for us to do so. Finally, your dollars have sent a message to millions of born and unborn GLBT children who will one day have to continue this struggle: we don't care about you.

You will get money from the LGBT community to discriminate against us.

Jason Durant

Internal Virus Database is out-of-date.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: "e sf" <sashimily@hotmail.com>
Date: Wednesday, November 19, 2008 12:46 PM
To: REDACTED
Subject: Your Business

As a straight, well-educated native San Franciscan, I am horrified to see that you gave money to the Yes on 8 campaign. My disgust cannot be put into words. God will judge you, and do so harshly.

Get more done, have more fun, and stay more connected with Windows Mobile®. See how.

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30

Date: Wednesday, November 19, 2008 3:07 PM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED

Name : Eric Smith

Company :

Address :

City : San Francisco

State : CA

Zip : 94124

Phone :

email :

subject : REDACTED Inquiry from Website

Comments : We notice that you have donated to the Yes on 8 campaign. We will make sure that we do everything in our power to drive you out of business.

submitButtonName : Submit Query

--

Internal Virus Database is out-of-date.

Checked by AVG Free Edition.

Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

John Doe #30 of 1

Date: Friday, December 05, 2008 11:33 AM
To: REDACTED
Subject: Inquiry from REDACTED Website

Values submitted from web site form:

recipient : REDACTED
Name :
Company :
Address :
City :
State :
Zip :
Phone :
email :
subject : REDACTED Inquiry from Website
Comments : under \"about us\" you forgot to include \"specializing in bigotry\"
submitButtonName : Submit

--
Internal Virus Database is out-of-date.
Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 270.9.0/1776 - Release Date: 11/8/08 6:49 PM

From: "Andy Jolley" <andyjolley@yahoo.com>
Date: Tuesday, February 03, 2009 6:07 PM
To: [REDACTED]
Subject: Re: Shame on YOU H8-er!

Wow, you really don't get it.....Ignorance must be bliss, take care as the world has changed and you will sadly be left behind.

--- On **Mon, 12/15/08**, [REDACTED] wrote:

From: [REDACTED]
Subject: Re: Shame on YOU H8-er!
To: andyjolley@yahoo.com
Date: Monday, December 15, 2008, 5:39 AM

Proposition 8 has nothing to do with hate. It has to do with preserving the benefits of marriage for children, because the needs of children are best met by a mother and a father to which they are biologically related.

Those of you that are advocating for gay marriage want these benefits for yourselves. It is disgusting to me to see grown people clamoring to take for themselves benefits that are meant to be for innocent children.

It is you who should be ashamed.

Andy Jolley wrote:

There is no room for H8 in our city and you should be ashamed of yourself. It's one thing to exercise your right to vote, but it's an entirely different thing to give money to this hateful cause! NO MORE HIDING for YOU! SHAME ON YOU!

John Doe #31

Case 2:09-cv-00058-MCE-DAD Document 134 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 SUMMARY JUDGMENT**

Date: TBD

Time: TBD

Judge Morrison C. England, Jr.

Decl. of REDACTED in Support of Plaintiffs' Motion for Summary Judgment

John Doe #31

Case 2:09-cv-00058-MCE-DAD Document 134 Filed 06/03/2009 Page 2 of 3

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I placed a sign in my front yard.

6 4. In support of Proposition 8, I also placed a bumper sticker on my vehicle.

7 5. During the two weeks leading up to the November 4, 2008, election, the sign was stolen
8 from my front yard on five separate occasions. Each theft occurred during the evening and I was
9 forced to replace the sign after each theft.

10 6. The bumper sticker on my vehicle was also defaced while the vehicle was parked in my
11 driveway. Someone had changed the "Yes on 8" to "No on 8." As a result, I was forced to replace the
12 bumper sticker.

13 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
14 CORRECT.

15 Executed on: **REDACTED**

REDACTED

REDACTED

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28

Decl. of **REDACTED** in Support of Plaintiffs' Motion for Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #31 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
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Attorney for Defendant Dean C. Logan

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*Attorney for Defendants Dennis J. Herrera and
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Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

Plunderbund - » Ohio's Homophobes Revealed, Part II: REDACTED REDACTED
Case 2:09-cv-00058-MCE-DAD Document 135-2 Filed 06/03/2009 Page 2 of 3

Plunderbund

A Progressive Political Playground

Ohio's Homophobes Revealed, Part II: REDACTED

- Posted by [Joseph](#)
- November 16, 2008

Yesterday we started talking about the list of [homophobes from Ohio](#) who contributed money to help pass the gay marriage ban in California.

Blogger Interrupted has already exposed [the guy who works at NASA](#) REDACTED and [the certified diversity contractor](#) REDACTED REDACTED

REDACTED is up next.

REDACTED is the owner of a plastics company in REDACTED

He's a member of the REDACTED

Oh, and he's a homophobe.

Two years ago he [made a couple of contributions to](#) REDACTED - Ohio's leading homophobe - during REDACTED failed run for REDACTED

This year REDACTED decided to skip the political contributions and donate his money directly to an organization that hates gays as much as he seems to: [the national organization for marriage](#).

UPDATE:

It turns out REDACTED is not just a single-issue guy.

Judging by this [comment on the](#) REDACTED blog he also seems to have signed on to the anti-union, pro-school voucher and muslim-hating aspects right wing nuttury:

"political correctness dictates that God is taken out of the classroom with a threat from the ACLU and (for recent example in another public school system) replaced with mandatory field trips to the local mosque (with headscarves for the girls to boot)"

You've just been upgraded REDACTED From a simple homophobe to a full-fledged wing nut. Congrats!

Plunderbund - » Ohio's Homophobes Revealed, Part II: REDACTED

REDACTED

Case 2:09-cv-00058-MCE-DAD Document 135-2 Filed 06/03/2009 Page 3 of 3

Information and Links

Join the fray by commenting, tracking what others have to say, or linking to it from your blog.

Information

[November 16th, 2008](#)

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[Plunderbund](#)

Other Posts

[Follow Up On Richard Duncan's Presidential Campaign](#)

[Ohio's Homophobes Revealed](#)

Plunderchat:

1

Written by: [tim russo](#)

Posted on: November 16, 2008 at 8:10 am

this is so much fun. let's continue, shall we?

Plunderbund

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1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
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 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
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 6 Counsel for All Plaintiffs

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 8 15100 North 90th Street
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 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

25
 26
 27
 28 **Declaration of [REDACTED] in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Ohio over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made three donations, totaling \$XXX, to the National
6 Organization for Marriage California - Yes on 8, sponsored by National Organization for
7 Marriage.

8 4. I have supported causes similar to Proposition 8 in the past, and I have never
9 experienced any sort of retribution because of my support for these causes.

10 5. Because of my donations in support of Proposition 8, at least one website has singled
11 me out as a "homophobe" and a "wingnut" because of my support for Proposition 8. A true and
12 correct copy of this website as it appeared on February 6, 2008 is attached as Exhibit A.

13 5. I have a son in California who shares my name. My son is a practicing lawyer.

14 6. Because we share the same name, I feel that these attacks on me are an indirect attack
15 on my son, even though he is not involved with supporting Proposition 8. I do not want my
16 support of Proposition 8 to compromise his professional identity, yet I fear that the sort of
17 harassment I experienced on the internet will do so.

18 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
19 AND CORRECT.

20
21 Executed on [REDACTED]

[REDACTED]

[REDACTED]

22
23
24
25
26
27
28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #32 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
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Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
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 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
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* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$X,XXX to National Organization for Marriage
6 California - Yes on 8, Sponsored by National Organization for Marriage.

7 4. I am a [REDACTED] in the [REDACTED] Church. As a [REDACTED], and in support of Proposition 8, I
8 proactively spoke to my congregation about the sanctity of marriage as a sacramental union
9 between a man and a woman, and the need to safeguard this through a yes vote on Proposition 8.
10 I also stressed the importance of ensuring the mission of the Church not be jeopardized through
11 the passage of laws that would force us to operate against our moral teachings.

12 5. In support of Proposition 8, I also placed yard signs in my yard on a fairly busy street.
13 Throughout the months of September and October, I had a total of ten signs removed from my
14 property. The signs were removed at night, and were not readily accessible. Whoever removed
15 the signs had to climb up the slope of my property to remove the signs.

16 6. I purposely secured several of the signs to branches of trees in my yard. Someone also
17 ripped these signs down.

18 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
19 AND CORRECT.

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21 Executed on: [REDACTED]

[REDACTED]

[REDACTED]

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #33 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF REDACTED</p> <p>IN SUPPORT OF</p> <p>PLAINTIFFS' MOTION FOR SUMMARY</p> <p>JUDGMENT</p> <p>Date: TBD</p> <p>Time: TBD.</p> <p>Judge England</p>
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 28 Declaration of REDACTED in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, on October 25, 2008, I placed a "Yes on 8" yard sign in
6 our front yard.

7 4. Sometime between sundown on October 31, 2008 and noon on November 1, 2008, the
8 yard sign was stolen.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
10 AND CORRECT.

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12 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #34 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #35

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James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED]
 [REDACTED] IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 SUMMARY JUDGMENT**

Date: TBD
 Time: TBD
 Judge Morrison C. England, Jr.

Decl. of [REDACTED] in Support of Plaintiffs' Motion for Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated \$XXX to National Organization for
6 Marriage California – Yes on 8, supported by National Organization for Marriage.

7 4. In support of the passage of Proposition 8, I also purchased two yard signs.

8 5. I placed the yard signs on each side of my yard near the street, a busy four lane frontage road
9 beside the freeway.

10 6. Approximately ten days after I placed the signs in my yard, someone uprooted the signs and
11 threw them down. The signs were slightly dirty and I replaced them in their original location.

12 7. The next day, the signs were once again removed. However, this time, whoever removed the
13 signs also ripped them. I was able to repair the signs with clear tape and replaced them in their original
14 location.

15 8. Approximately two days before the election, someone stole the signs during the evening
16 hours.

17 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
18 CORRECT.

19 Executed on: [REDACTED]

[REDACTED]

[REDACTED]

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Decl. of [REDACTED] in Support of Plaintiffs' Motion for Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #35 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>[REDACTED] IN SUPPORT OF</p> <p>PLAINTIFFS' MOTION FOR SUMMARY</p> <p>JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	--

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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of **\$XXX** to ProtectMarriage.com - Yes
6 on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I placed a "Yes on 8" sign outside my home, which is
8 located on a busy street and has a streetcar stop in front of it. My "Yes on 8" sign was placed in a
9 brick flower box, between my front steps and garage. This flower box is about 10-12 feet from
10 the sidewalk. I put this sign out at the end of October 2008.

11 5. After Halloween, and about three or four days after putting out the sign, the sign - but
12 not its metal stand - was taken from the flower box.

13 6. About a week later, I placed a second "Yes on 8" sign in the flower box. Within a day
14 or two, this sign and its metal stand had also been taken.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
16 AND CORRECT.

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18 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #36 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
--	---

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I placed a Yes on 8 sign in my front yard, which is on a
6 back street. I also placed two Yes on 8 signs on my back fence, which faces a main street. My
7 husband warned me about putting up the signs, as he was concerned that people might damage
8 our property because of the signs. However, because I felt so strongly about Proposition 8, he
9 agreed to let me put up these signs supporting Proposition 8.

10 4. About a month before the November 2008 election, someone tore up the sign in my
11 front yard. I then replaced the sign in my front yard with two more. Someone then stole one of
12 the signs from my front yard, and shredded the Yes on 8 sign that I had stapled onto its metal
13 post.

14 5. I live in a small group of homes which, until this incident, I thought was very
15 neighborly. This incident shocked me.

16 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
17 AND CORRECT.

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19 Executed on: [REDACTED]

[REDACTED]

[REDACTED]

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #37 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF REDACTED</p> <p>IN SUPPORT OF</p> <p>PLAINTIFFS' MOTION FOR SUMMARY</p> <p>JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

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 28 Declaration of REDACTED in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of \$40 to Focus on the Family Action,
6 and a donation of **\$XX** to ProtectMarriage.com - Yes on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I also emailed state officials, placed a bumper sticker on
8 my car, and had signs supporting Proposition 8 at my place of business.

9 5. In support of Proposition 8, I also installed 12 "Yes on 8" yard signs along the busy
10 highway in front of my home on the Saturday before the November 2008 election.

11 6. The next day, between noon and 2:00 p.m., someone removed all 12 "Yes on 8" yard
12 signs. In their place, I found a lone "No on 8" sign.

13 7. On my daily drives to and from work, I saw evidence of stolen and damaged "Yes on
14 8" yard signs. I started seeing these stolen and damaged yard signs in October.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
16 AND CORRECT.

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18 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #38 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

John Doe #39

Case 2:09-cv-00058-MCE-DAD Document 142 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED]
 [REDACTED] IN SUPPORT OF
 PLAINTIFFS' MOTION FOR
 SUMMARY JUDGMENT**

Date: TBD
 Time: TBD
 Judge Morrison C. England, Jr.

Decl. of [REDACTED] in Support of Plaintiffs' Motion for Summary Judgment

John Doe #39

Case 2:09-cv-00058-MCE-DAD Document 142 Filed 06/03/2009 Page 2 of 3

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. I signed the petition to have Proposition 8 placed on the ballot.

6 4. In support of the passage of Proposition 8, I donated **\$XXX** to the National Organization for
7 Marriage California – Yes on 8, sponsored by National Organization for Marriage.

8 5. My two high school aged children also supported Proposition 8 by attending rallies where
9 they held signs in support of the ballot measure.

10 6. In support of the passage of Proposition 8, I also placed a sign in my yard. I live in a
11 residential neighborhood and my home is on a street that dead ends at a cul-de-sac shortly after my
12 residence.

13 7. On or about October 24, 2008, the sign was stolen from my yard.

14 8. I noticed that three other homes on my street also had their signs supporting Proposition 8
15 removed during this time, as well as many others on adjoining streets.

16 9. I am ashamed to admit that, although I would have liked to have placed a bumper sticker on
17 my car supporting Proposition 8, I did not do so because of the aggression directed towards family and
18 friends that resulted from their support of Proposition 8.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
20 CORRECT.

21
22 Executed on: **REDACTED**

REDACTED**REDACTED**

Decl. of **REDACTED** in Support of Plaintiffs' Motion for Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #39 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al., <i>Plaintiffs,</i> v. Debra Bowen, et al., <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD DECLARATION OF REDACTED REDACTED IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT Date: TBD Time: TBD. Judge England</p>
--	---

Declaration of REDACTED in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of \$**XX** to ProtectMarriage.com - Yes on
6 8, a Project of California Renewal.

7 4. In support of Proposition 8, I also placed a bumper sticker on my car. One person
8 made an obscene gesture at me because of this bumper sticker.

9 5. In support of Proposition 8, I also placed a "Yes on 8" yard sign on my front lawn in a
10 gated community. My next door neighbor also placed a "Yes on 8" yard sign in his yard.

11 6. During October, my next door neighbor and I had our "Yes on 8" yard signs stolen four
12 times. The signs were taken during the night.

13 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
14 AND CORRECT.

15
16 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #40 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

26
 27
 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation to ProtectMarriage.com - Yes on 8, a
6 Project of California Renewal.

7 4. In support of Proposition 8, I walked precincts/neighborhoods campaigning for
8 Proposition 8, made several hundred phone calls weekly before the election, and placed a bumper
9 sticker on my car, among other things.

10 5. In support of Proposition 8, I also placed two yard signs in my front yard. I live on a
11 street that is not too busy, and I placed the one sign on each side of my driveway. The signs were
12 clearly on my property, and were closer to my home than they were to the street.

13 6. During the month of October, I had a total of six "Yes on 8" signs stolen from my front
14 lawn during the night. Because of the location of the signs, anyone who stole the signs would
15 have had to trespass on my property.

16 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
17 AND CORRECT.

18
19 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #41 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

26
 27
 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$XX through my church, [REDACTED]
6 [REDACTED].

7 4. In support of Proposition 8, I participated in a Yes on 8 rally in Euclid, wrote several
8 commentaries for both our local paper and online blogs, attended our church's Yes on 8
9 presentation, and visited numerous websites that supported Proposition 8.

10 5. In support of Proposition 8, I also placed yard signs in my hard. On three separate
11 occasions, the signs were stolen or vandalized during the night. I reported these incidents to my
12 local police department, but I received no response from them.

13 6. On one morning following the disappearance of my signs, I walked up and down my
14 street and saw that all of the Proposition 8 were tagged with the words "hate speech" or "hater."
15 I walked over to my neighbor's house to talk about what had happened, and I noticed that my
16 sign was in his yard, along with several other signs. I knew that this was my sign, because I
17 purchased it from my church and the graphics were different than most of the "Yes on 8" signs.

18 7. That day, I took photographs of the vandalized signs, sent the photos to the police, and
19 reported the vandalism as hate speech. True and correct copies of the pictures I took are attached
20 as Exhibit A. As set forth above, I never received a response from the police department about
21 this vandalism.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORRECT.

24 Executed on: [REDACTED]

[REDACTED]

[REDACTED]

27
28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #42 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
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mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 145-2 Filed 06/03/2009 **John Doe #42** Page 1 of 6

Exhibit A



John Doe #42

Document 145-2 Filed 06/03/2009

9-cv-00058-MCE-DAD



John Doe #42

Document 145-2

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Filed 06/03/2009

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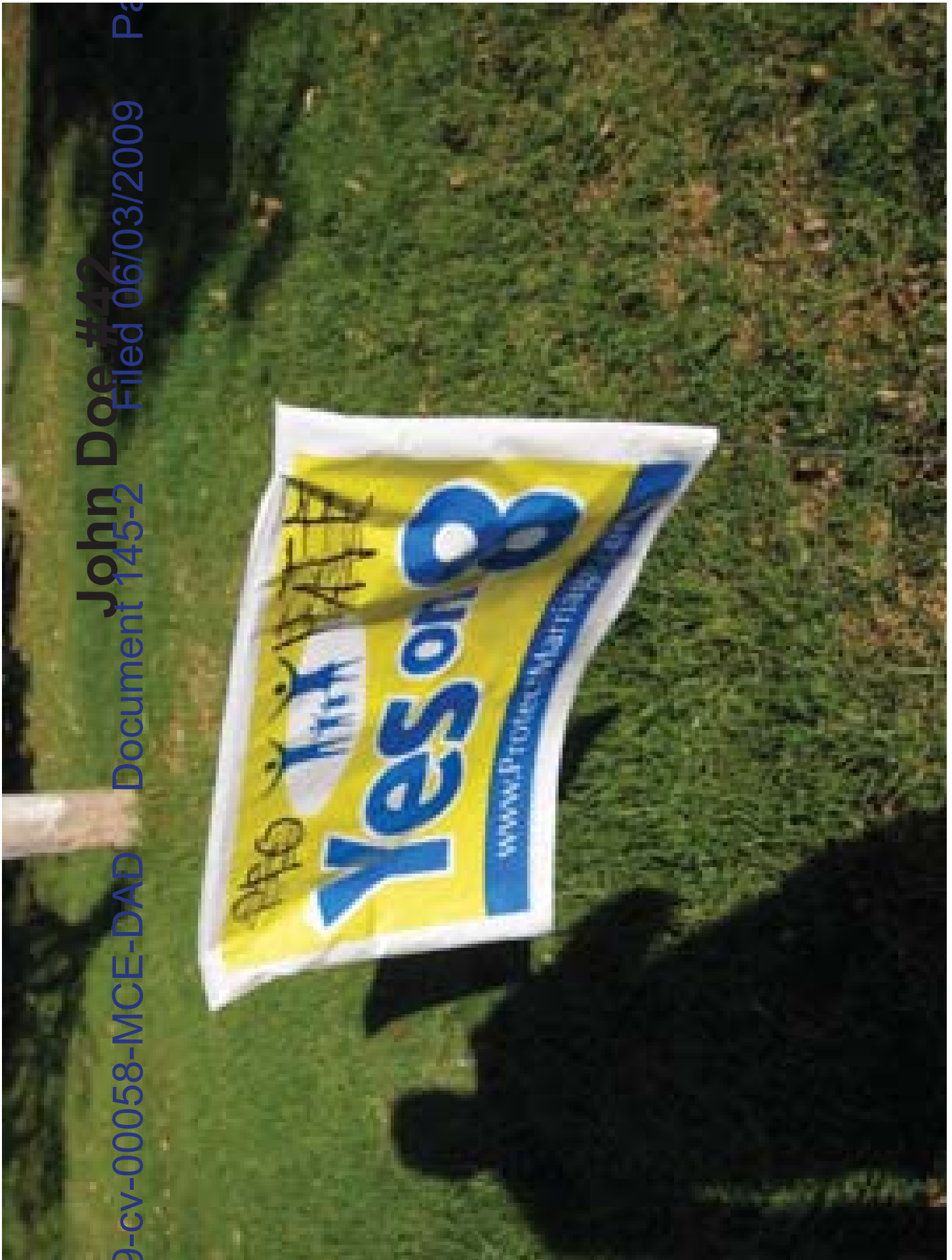


John Doe #42

Filed 06/03/2009

Document 145-2

9-cv-00058-MCE-DAD



John Doe #42

Filed 06/03/2009

Document 145-2

9-cv-00058-MCE-DAD



1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
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11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

24
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 26
 27
 28 **Declaration of [REDACTED] in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**XXX** through my church, **REDACTED**

6 **REDACTED**.
7 4. In support of Proposition 8, I participated in a Yes on 8 rally in Euclid, wrote several
8 commentaries for both our local paper and online blogs, attended our church's Yes on 8
9 presentation, and visited numerous websites that supported Proposition 8.

10 5. In support of Proposition 8, I also placed yard signs in my hard. On three separate
11 occasions, the signs were stolen or vandalized during the night. I reported these incidents to my
12 local police department, but I received no response from them.

13 6. On one morning following the disappearance of my signs, I walked up and down my
14 street and saw that all of the Proposition 8 were tagged with the words "hate speech" or "hater."
15 I walked over to my neighbor's house to talk about what had happened, and I noticed that my
16 sign was in his yard, along with several other signs. I knew that this was my sign, because I
17 purchased it from my church and the graphics were different than most of the "Yes on 8" signs.

18 7. That day, I took photographs of the vandalized signs, sent the photos to the police, and
19 reported the vandalism as hate speech. True and correct copies of the pictures I took are attached
20 as Exhibit A. As set forth above, I never received a response from the police department about
21 this vandalism.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
23 AND CORRECT.

24 Executed on: **REDACTED**

REDACTED

REDACTED

27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #42 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 146-2 Filed 06/03/2009 **John Doe #42** Page 1 of 6

Exhibit A



John Doe #42

Document 146-2 Filed 06/03/2009

9-cv-00058-MCE-DAD



John Doe #42

Document 146-2

9-cv-00058-MCE-DAD

Filed 06/03/2009

Page 187 of 264

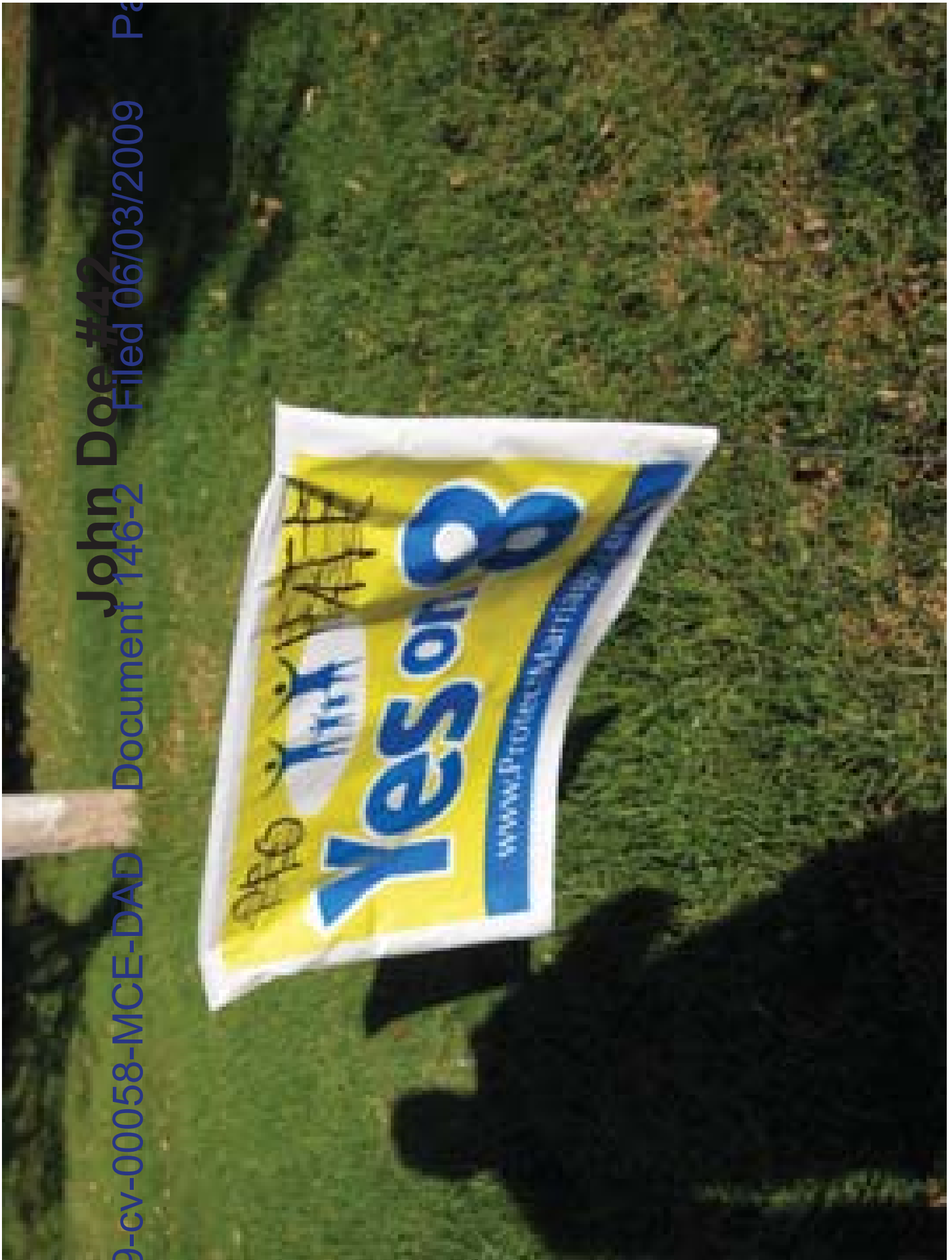


John Doe #42

Filed 06/03/2009

Document 146-2

9-cv-00058-MCE-DAD



John Doe #42

Filed 06/03/2009

Document 146-2

9-cv-00058-MCE-DAD



1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
---	---

25
 26
 27
 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. On October 19, 2008, in support of Proposition 8, I placed a "Yes on 8" yard sign on
6 my front lawn.

7 4. I live in a quiet, residential neighborhood. My sign was placed approximately twenty
8 feet from the street.

9 5. On the night of October 27, 2008, someone stole the yard sign from my front lawn.

10 6. Two signs opposing Proposition 8 were visible from my front yard, and they were not
11 removed for the entirety of the campaign.

12 7. Having the sign removed from my front lawn will negatively affect my support of a
13 cause similar to Proposition 8 in the future. The person who removed my sign knows where I
14 live, knows my political position, and yet felt "empowered" to come onto my property and
15 remove this sign. I believe that the people in my neighborhood are not open to freedom of
16 speech, unless it agrees with their own speech.

17 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
18 AND CORRECT.

19
20 Executed on: **REDACTED**

REDACTED

REDACTED

21
22
23
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27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #44 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
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*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20</p> <p>21 <i>Plaintiffs,</i></p> <p>22 v.</p> <p>23 Debra Bowen, et al.,</p> <p>24 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>IN SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 **Declaration of [REDACTED] in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I gave approximately \$ **XXX** to National Organization
6 for Marriage California - Yes on 8, sponsored by National Organization for Marriage.

7 4. In support of Proposition 8, I also put out "Yes on 8" yard signs. Approximately two
8 weeks before the November 2008 election, someone ripped down the "Yes on 8" sign in our
9 front yard on a quiet street. I work the 3:00 p.m. to 11:30 p.m. shift, and I usually get home
10 between midnight and 12:30 a.m. On the evening that this first sign was destroyed, I went into
11 the garage to put my recyclables in the recycle can and heard male voices in my front yard. By
12 the time I went back inside and out my front door, they had already pulled up the sign, and ripped
13 it apart into several pieces. When I stepped outside, I saw two teenaged boys running away, and
14 believe that a third ran the other way.

15 5. About a week later, the signs I had replaced the original in my yard with were also
16 stolen. Other signs I had placed around the neighborhood were also stolen repeatedly,
17 particularly in the two weeks leading up to the November 2008 election.

18 6. I was nervous to put out these signs in the first place, because the last thing that I want
19 to do is offend anyone. However, because I want to support what I believe is right, I put out the
20 signs. I thought it was very disrespectful for people to steal and vandalize my property.
21 Although I would hope that I would support a good cause whatever the persecution that might
22 happen to me, I will have to seriously consider my livelihood and the safety of my family in the
23 future when deciding to support a cause similar to Proposition 8.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
2 AND CORRECT.

3
4 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #45 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 **Declaration of [REDACTED] in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made various donations to groups who supported the
6 passage of Proposition 8, including a donation of \$XXX to ProtectMarriage.com - Yes on 8 , a
7 Project of California Renewal, and a donation of \$XX to National Organization for Marriage
8 California - Yes on 8, Sponsored by National Organization for Marriage. I also donated to other
9 groups who supported Proposition 8, and I spent at least \$XXX purchasing "Yes on 8" signs, as
10 well as approximately \$XX copying handouts and a personal letter supporting Proposition 8.

11 4. In support of Proposition 8, I wrote a personal letter supporting Proposition 8 that I
12 copied and handed out to at least 300 of my neighbors.

13 5. In support of Proposition 8, I also had five "Yes on 8" signs destroyed or stolen from
14 my yard. I live on a corner in a residential area, but the street beside my house is somewhat busy.

15 6. One sign that was stolen was a large handmade sign I had placed in the yard after the
16 previous signs I had placed in the yard had been stolen. This sign was stolen even though I had it
17 wired to two trees on my property and had placed a light on it.

18 7. I live a few blocks from a Catholic church that displayed "Yes on 8" signs on its
19 property. I saw that every sign the church placed along or anywhere near the street during the
20 campaign was stolen or destroyed. Despite the constant theft and destruction, the church would
21 replace the signs. At the end of the campaign, the only signs that remained were a few that had
22 been torn up by vandals, and later repaired.

23 8. At my own expense, I made a banner supporting Proposition 8, and a friend and I hung
24 this banner on two trees on church property in such a way so that it could not be torn down or
25 destroyed. I also had a large "Yes on 8" sign that I would place on church property during the
26 day, but take down at night so that it would not be stolen or destroyed.

27
28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 9. I spoke to a police dispatcher about the sign theft. Although she was sympathetic, she
2 could only give me another number to report the sign theft when it happened. I never reported
3 any sign theft, because the theft of signs at this point was constant, and I do not believe reporting
4 sign theft would have prevented any such theft.

5 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
6 AND CORRECT.

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8 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #46 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

<p>ProtectMarriage.com, et al.,</p> <p><i>Plaintiffs,</i></p> <p>v.</p> <p>Debra Bowen, et al.,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$XXX to the ProtectMarriage.com - Yes on 8, a
6 project of California Renewal.

7 4. In support of Proposition 8, I also placed a yard sign in my yard on a very busy main
8 street, put a bumper sticker on my car, and attended meetings about the ballot measure.

9 5. On October 14 or 15, 2008, someone stole the yard sign supporting Proposition 8 that I
10 had placed in my yard. To replace the stolen sign, I made my own substitute sign. A photograph
11 that I took of this substitute sign is attached as Exhibit A.

12 6. I obtained two more "Yes on 8" signs on October 19, 2008 - one for myself, and one
13 that I intended to give to someone else. I displayed one of the signs in front of my house that
14 afternoon.

15 7. Sometime late on October 21, 2008, or early on October 22, 2008, this second sign was
16 stolen. I replaced the stolen sign with the one I had intended to give to someone else. I also
17 made a second, handmade sign protesting the thefts. I displayed this handmade sign together
18 with the replacement sign for several days. A photograph that I took of the signs displayed
19 together is attached as Exhibit B.

20 8. After the second sign supporting Proposition 8 was stolen, I began bringing in the signs
21 at night, so as to prevent any further theft.

22 9. Even though after October 22, 2008, I only had the sign supporting Proposition 8 out
23 during the day, on approximately October 25, 2008, a man in his car pulled up near the sign in
24 the early evening, before I had brought the sign in. It is easy to notice when a car stops in front
25 of our house, because we live on a busy street without a parking lane, and people never stop in
26 front of our house unless they have a reason to do so.

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 10. After pulling up in front of our house, the man started to get out of his car. As he did
2 so, my wife looked at him from inside our front window, and he got back in his car and sped
3 away.

4 11. I noticed that several people on our street who had Yes on 8 signs in front of their
5 homes had taped strongly worded warnings against stealing to their Yes on 8 signs. If you look
6 at the picture in Exhibit A, you can see a yard sign supporting Proposition 8 in the yard of one of
7 my neighbors. By the time I took the second set of photos, this sign had disappeared, as you can
8 see in one of the pictures in Exhibit B.

9 12. The stealing of my yard signs made me very upset. While I do not agree with the
10 other side, I would never try to stop them from presenting their views on this issue.

11 13. I am self-employed, so I am not too worried that my support of Proposition 8 will hurt
12 me financially, although I do have some worries that if my clients hear of my support for
13 Proposition 8 that they will stop sending me work. However, if I was employed by someone else
14 or in a more public position, I would be worried that my support of Proposition 8 or a similar
15 cause could financially harm me.

16 14. If the reprisals against people who support Proposition 8 rise to the level where
17 people are physically harmed or have their property destroyed, I would be very worried about
18 supporting a cause similar to Proposition 8 in the future.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
20 AND CORRECT.

21
22 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #47 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs







1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED] IN</p> <p>SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 **Declaration of [REDACTED] in**
Support of Plaintiffs' Motion for
Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of **\$XXX** to the Yes on 8 campaign.

6 4. In support of Proposition 8, I also participated in five or six phone banks, for two hours
7 each time, and placed a yard sign in my yard on a quiet, residential street..

8 5. In approximately mid-October, someone took my "Yes on 8" yard sign.

9 6. The next day, I replaced the "Yes on 8" yard sign. That night, someone took this
10 second "Yes on 8" yard sign.

11 7. I replaced this sign with a third "Yes on 8" sign. After having my first two signs taken,
12 I brought in the third sign every night.

13 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
14 AND CORRECT.

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16 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #48 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (AZ Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*

16 ** *Designated Counsel for Service*

17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

19 **ProtectMarriage.com, et al.,**

20 *Plaintiffs,*

21 *v.*

22 **Debra Bowen, et al.,**

23 *Defendants.*

24 **Case No. 2:09-CV-00058-MCE-DAD**

25 **DECLARATION OF [REDACTED] IN**
SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT

26 Date: TBD
 27 Time: TBD.
 28 Judge England

29 Declaration of [REDACTED] in
 30 Support of Plaintiffs' Motion for
 31 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I handed out approximately 200 Yes on 8 yard signs. I
6 passed out some of these yard signs at my church.

7 4. At my church, I urged my pastor to make an announcement regarding Proposition 8,
8 because both the Los Angeles Diocese and the Roman Catholic Church were supporting the
9 ballot measure. Despite the strong statements of many Bishops in support of Proposition 8, my
10 pastor told me privately, and parishioners at Mass, that he was not going to tell them how to vote.

11 5. Because of my involvement in supporting Proposition 8 and my attempts to promote it
12 at church, my pastor told me that he thought I should find another church.

13 6. I was shocked that he would say this. I didn't think that he had any right to say this to
14 me.

15 7. Because of the threats and harassment associated with Proposition 8, I would not place
16 a bumper sticker supporting Proposition 8 on my car.

17 8. In support of Proposition 8, I placed a Yes on 8 sign in my front yard. The sign was
18 not disturbed for approximately a month and a half. Approximately a week to ten days before the
19 election, someone removed the sign itself. The metal support for the sign was bent out of shape
20 and thrown on the ground.

21 9. On the day that my Yes on 8 sign was taken, the No on 8 signs at the homes on either
22 side of my home remained intact.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 10. I believe my friendship with a long-time friend was risked when she saw my “Yes on
2 8” sign and said she was hurt by my support of the initiative. She was visibly upset and angry
3 with me, though she has always known that I am on the other side of most of the social issues
4 that she espouses. At the time, I believed that our friendship might have been compromised by
5 my public support for Proposition 8. However, it appears that we have now both moved beyond
6 our differences.

7 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
8 AND CORRECT.

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10 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs’ Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #49 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*

16 ** *Designated Counsel for Service*

17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

19 **ProtectMarriage.com, et al.,**

20 ***Plaintiffs,***

21 **v.**

22 **Debra Bowen, et al.,**

23 ***Defendants.***

24 **Case No. 2:09-CV-00058-MCE-DAD**

25 **DECLARATION OF REDACTED**
IN SUPPORT OF PLAINTIFFS'
MOTION FOR SUMMARY JUDGMENT

26 Date: TBD
 27 Time: TBD.
 28 Judge England

29 Declaration of REDACTED in
 30 Support of Plaintiffs' Motion for
 31 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I attended a rally in Fresno, passed out literature and lawn
6 signs, and made presentations at both the English and Spanish language Masses at **REDACTED**

7 **REDACTED**. I also attended some of the meetings with the local committee formed to
8 support Proposition 8.

9 4. In support of Proposition 8, I also placed a “Yes on 8” sign outside at my business
10 address, on a very busy street. Within 48 hours after I posted the “Yes on 8” sign, someone
11 removed it and threw it somewhere down the street during the night.

12 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
13 AND CORRECT.

14
15 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs’ Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #50 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

19
 20 **ProtectMarriage.com, et al.,**

21 *Plaintiffs,*

22 **v.**

23 **Debra Bowen, et al.,**

24 *Defendants.*

25 **Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED] IN
 SUPPORT OF PLAINTIFFS' MOTION
 FOR SUMMARY JUDGMENT**

Date: TBD
 Time: TBD.
 Judge England

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 28 **Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment**

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**X,XXX** to the National Organization for Marriage
6 California - Yes on 8, Sponsored by National Organization for Marriage.

7 4. Because of my support for Proposition 8, I received many emails from people who
8 were angry about my support of Proposition 8. Mostly, the emails referred to me as a "bigot" or
9 a "gay hater," and/or they mocked Christianity. I have since deleted these emails.

10 5. Because of my support for Proposition 8, many websites began slandering me as a
11 "bigot," "gay hater," or "racist." At some point in December, there were over 30 websites
12 slandering me in this way.

13 6. Because I do a large amount of public speaking, when people searching for me on the
14 internet search for my name, these websites come up.

15 7. My son is an actor. Because of the harassment he received for his support of
16 Proposition 8, he has had to change the name under which he acts.

17 8. If I was asked to support a cause similar to Proposition 8 in the future, these incidents
18 would definitely affect my support. As a father who saw how support of Proposition 8 affected
19 my son, I would hesitate to donate to a similar cause if there was not a way to keep our giving
20 confidential.

21 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
22 AND CORRECT.

23
24 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #51 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF PLAINTIFFS'
 MOTION FOR SUMMARY JUDGMENT**

Date: TBD
 Time: TBD.
 Judge England

Declaration of REDACTED in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. Our **REDACTED** was retained in mid-October 2008 by the **REDACTED**
5 **REDACTED** campaign. I handled the public relations, to assist **REDACTED**, the Deputy
6 Communications Director for **REDACTED**, with the overwhelming international news
7 interest in this case.

8 3. During the campaign leading up to the November 2008 election, my public relations
9 firm received approximately one to three telephone calls per day from angry callers who swore or
10 threatened us because of our representation of the **REDACTED** campaign.

11 4. The day after Proposition 8 passed, the amount of telephone calls and emails we
12 received of this nature increased, and became significantly more threatening..

13 5. Early on November 5, 2008, we received a telephone call from a man who wanted the
14 address of **REDACTED**, so that he could send her a "gift." I referred the caller to the **REDACTED**
15 website, but he wanted her home or office address. I refused to give him her address, and he
16 became very angry. He made numerous threats to me personally and my business.

17 6. He continued calling, and immediately re-calling, my **REDACTED** firm all day.
18 Three of the many voice mail messages that he left are attached as Exhibits A, B, and C.

19 7. The man began calling my office so often that we could not use the telephone to
20 conduct business. At this point, we called the sheriff's office to report his behavior. The Sheriff
21 identified the man because he had caller i.d. The sheriff called this man, and said that if he
22 continued this behavior, he would be arrested.

23 8. I also received a number of emails. True and correct copies of the text of some of these
24 emails are attached as Exhibit D.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 9. I regularly handle [REDACTED] for controversial issues. For example, several years
2 ago, [REDACTED] County retained me to help handle media pertaining to the Catholic priest
3 molestation issues. The harassment I personally endured as a result of my work on the [REDACTED]
4 campaign was much worse than during the molestation issues or any other issue I have dealt
5 with.

6 10. Because of these incidents, I was afraid for my own safety and the safety of my
7 daughters. The internet has a large amount of information about people, and it would be easy for
8 a person to find my business and home addresses.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
10 AND CORRECT.

11
12 Executed on: [REDACTED]

REDACTED

[REDACTED]

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28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #52 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit D

From: Jennie LaCovey [mailto:jennie@blocagency.com]

Sent: Friday, November 07, 2008 12:34 PM

To: REDACTED

Subject: prop 8

Hey All –

Some of you are aware that Yes on Prop 8 has unfortunately passed. For those of you not in Cali, this means that Gay marriage is no longer legal! I guess the wedding I was in back in Sept. for my dearest friends Sami and Karen is now void? And that means the wedding in April for my best friend, Shannon, and her fiancé Melissa now means it will only be a commitment ceremony. WTF!

We live in a country where everyone is supposed to be created EQUAL. I guess they are referring to everyone white or black, man or woman, straight... but not gay. I understand that it takes time, but didn't CA just take 2 steps back?! I could meet a man tomorrow and run off to Vegas to get married, but my best friends who are in committed loving relationships for years won't have the same privileges?!!

A week ago I was having a bold moment and stole 2 "Yes on Prop 8" signs off a lawn that was ridiculously covered in them. And I don't feel bad about it. Not one bit. How can discrimination still be tolerated? It's almost 2009 and more than half of the US continues to effect peoples lives by causing them to be second class citizens.

Being homosexual is not a disease... it's not something you can catch. Believe me, if I could have a girlfriend... I WOULD! Homosexuality is not taught in schools FYI. Do you remember learning about marriage in grade school? I sure don't. And even if it was taught, so what! Are we going to continue to spread hate and teach are kids to discriminate?!

Attached is a funny photo someone sent me. If you don't live here, Prop 2 passed which gives chickens animal rights, etc... Funny how we finally have an AA pres and the animal rights prop passed, but no rights for the gays.

Xoxo,

J.

P.S. Please sign the petition below if you live in Cali. J

With our new President elected, we know the seal has been broken in a beautiful show if this nation's growth, love, acceptance and the achievement of the Equality and Freedom we were founded for.

As many of you know, and some may not, proposition 8 on the California ballot passed by a very narrow margin yesterday. Prop 8 would eliminate the right for same sex couples to marry. Let's be clear about this proposition: Homosexual Californians are not looking for a special clause, new treatment, or right. WE HAD IT. Supporters of Prop 8 want to go in and RE-WRITE AN EXCLUSION of same sex couples into the Constitution. There has been a lot of propaganda to

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make some folks believe this is about education, Church's tax exempt status, and other nonsense. To get the FACTS, and see who supports this cause, visit www.noonprop8.com.

Regardless of your personal beliefs, it is wrong and unjust to strip one group of people of a fundamental civil right. ALL people deserve the right to marry and have a family with the person they love. We can't let fear and propaganda take away this right from anyone.

Please take a minute to sign this petition to repeal Prop 8 and RESTORE EQUALITY FOR ALL.

<http://www.petitiononline.com/seg5130/petition.html>

I was at the West Hollywood Protest March last night with our best friends Jenn and Stacey, who were married, legally, in July. Prop 8 wants to tell them their marriage and love are not equal, not legal, and not allowed. Please stand with us and we fight for Equality. Please send this on to everyone you know. Changing just one mind matters

<http://www.youtube.com/watch?v=HSAAtGmUSLZM>

Check out YouTube.com and just enter in "no on prop 8 protest" and see the dozen of news clips and personal footage from all across the state! YES WE CAN!!!

Hi Everyone,

As you know Prop 8 has passed. It has brought great sadness to Karen and I. It hurts to know that discrimination is masked by religion. I am ashamed of all who voted to take my marriage away. I am hurt deeply by anyone who would try to break up loving families, just because they are not like theirs. All the lies that were told about schools and children. Using children!!!! The phone calls telling people that Obama supports "Yes" on 8 - LIES!! I especially cannot believe that those who have felt the horror of discrimination, would then discriminate. This is about EQUAL RIGHTS!! Not religion!!! This is so unconstitutional - the last legal discrimination. I am not a second rate citizen. My love deserves the same legal rights as a straight couple, and the same word - MARRIAGE. I do not want to call it anything else, that would be the same as sitting at the back of the bus. Separate is not equal.

Sami

Jennie LaCovey
Bloc Talent Agency
www.blocagency.com
T: 323 954 7730
F: 323 954 7731

Case 2:09-cv-00058-MCE-DAD Document 155-2 Filed 06/03/2009 Page 4 of 9

From: Larry Walter [mailto:chumleynv@yahoo.com]

Sent: Friday, November 07, 2008 2:52 PM

To: REDACTED

Subject: Hello REDACTED

Hi REDACTED,

Just wanted you to know we all think you are a bigot and a religious zealot.

Hope your children all turn out to be gay!!

Case 2:09-cv-00058-MCE-DAD Document 155-2 Filed 06/03/2009 Page 5 of 9

From: Bobby Furler [mailto:blfurler@yahoo.com]

Sent: Friday, November 07, 2008 3:03 PM

To: REDACTED

Subject: prop 8

I would like to take the time to say you and your discrimination cause disgust me. I hope one day you will find peace in what you have done and all of the lives that you have affected. Proposition 8 was nothing but pure discrimination and homophobia under the guises of "marriage protection" and "looking after children". People like you are so filled with hate, please take the time to discuss with your god if hate and fear really is the answer. If you find that it is, I am sorry. I will be praying for you.

Respectfully yours,
Robert Furler
Los Angeles, CA

Case 2:09-cv-00058-MCE-DAD Document 155-2 Filed 06/03/2009 Page 6 of 9

From: Bryan Miyamoto [mailto:goyuchan@sbcglobal.net]
Sent: Friday, November 07, 2008 4:34 PM
To: REDACTED
Subject: Thank you for all your hate

Dear REDACTED

Thank you very much for putting all your hate out there in the world.

You really made a difference being a REDACTED for yes on prop 8. Maybe you rather than teaching hate, you should focus your energy for something positive. I just got an e-mail from my friend regarding your hate towards gay community, and your name is all over the gay community. What goes around comes around comes around REDACTED.

Bryan Miyamoto

From: Austen Faggen [mailto:austen.faggen@gmail.com]

Sent: Monday, February 09, 2009 5:18 PM

To: REDACTED

Subject: Re: Hey REDACTED!

There is the basic freedom granted to us by the First Amendment allowing everyone the right to express themselves openly. Same-sex marriage is a form of expression just as traditional marriage. It is a statement of love (or at least commitment) before the state that two people plan to function as one family unit.

Marriage is a right. I have heard this argument that it is a privilege before. They say it is like driving, they are both regulated and, therefore, are not rights but privileges. However, voting has always been referred to as a right and it has also always been regulated. You can't vote until age 18, you must be a legal citizen and you can even lose your right to vote. Yet we don't call voting a right. I would argue that marriage is a right and that we are privileged to have that right.

I guarantee you that if you were not allowed to marry your partner because he was black or Jewish or whatever, **you would be livid also**. Put yourselves in our shoes. And tell that gay friend of yours to look deep down and start loving himself more. Any self-respecting gay man or woman should not be for Prop 8.

You should be proud of yourself for standing up for your gay stepson. Go the next step. When this issue rolls around the next time-- and we both know that it will-- help *us*. I know you will be proud to one day say that you were on the side of civil rights.

On Mon, Feb 9, 2009 at 5:00 PM, REDACTED REDACTED > wrote:

Prop 8 maintains the definition of marriage as between a man and a woman—which is what it has always been. By the way, Marriage is not a right—it is a privilege. You and your partner, have the same right to choose to live in a domestic partnership and the same rights to legal protection. But you don't have the right to redefine marriage. Actually, before I decided to work on this campaign, I had a long talk about prop 8 with a very dear gay friend who has been in a long term relationship with his life partner. He agrees 100% with my position.

I don't hate anyone, certainly not you or any other gay person. My stepson is gay, and his father (my ex) wanted to disown him when he and his partner moved in together. We had huge issue over this as I could not fathom how he could turn his back on his son. He eventually reconciled his son before he died, and I thank God he did. If my own children were gay, I would feel the same way about marriage – but I would love them, and support them if they were lucky enough to find a life partner, and if their union produced children either by birth or by adoption. And I would love those grand children just as much as any other grandmother.

However, the hate and vindictiveness leveled at me and others by the gay community has been truly appalling.

I truly wish you well

From: Austen Faggen [mailto:austen.faggen@gmail.com]

Sent: Monday, February 09, 2009 4:43 PM

To: REDACTED

Subject: REDACTED!

REDACTED,

I've been with my partner for eight years. In November, I lost my right to marry. Now I understand your position completely! You believe that that right never should have been given to us in the first place. And I understand that belief.

But some Christian and Jewish sects do allow for gay marriage. And separation of church and state should have allowed for those churches to act independently of the government. Mormons, after all, who helped in a large part to finance your involvement, can do tons irrespective of the government and law.

But because you and others felt it was necessary to inflict your specific religious believes onto others, I can no longer call the man I love, my husband. Although I will keep his last name. All definitions are subjective, REDACTED. That's why you'll find different definitions in different dictionaries (the Canadian Oxford Dictionary, for example, defines marriage as "the legal or religious union of two people" and says nothing of a man or a woman).

I am sure we both believe in the American government. That's why we both live here. I believe in the right of a majority to dictate laws, which is what happened in November, just like you do. So even though it hurts me, I understand that the majority of people in California decided gay marriages should not be performed by all churches and synagogues regardless of their independent doctrines.

But what you forget is that the Constitution was created to protect minority groups from the will of the majority. That's why in the sixties, blacks were able to win rights in the courts even without wide popular support for their causes. Sure you personally don't believe that gays should have the rights to marry. But that is just your own religious and/or moral view. Many people once thought blacks shouldn't have the right to marry whites. You shouldn't have acted so strongly to help the Yes on 8 campaign. You inflicted your personal views on others. Your words were hurtful and often inaccurate.

And even though my marriage had no effect on yours, your words and support helped hatred and bigotry win out. I know that in twenty years, your grandchildren will google your name and ask you with amazement why you stood against gay marriage. Just like my friend looks down on his grandfather for his bigoted support of the KKK, your descendants will look down on you. You might not have understood this at the time, but what you did was a form of disguised hatred. Remember, KKK members never saw their disapproval of interracial marriages as hatred. They also thought they had a moral obligation to protect society from the evils of whatever bullshit they believed would bring down society at the time.

I am ashamed of you, REDACTED. I hope that you will reconsider your support of such hateful legislation in the future.

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"Do to others whatever you would like to do to you. This is the essence of all that is taught in the law and the prophets." Matthew 7:12

Please reconsider your public statements.

Best,

Austen

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
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 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
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 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
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Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
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 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED]
 IN SUPPORT OF PLAINTIFFS' MOTION
 FOR SUMMARY JUDGMENT**

Date: TBD
 Time: TBD.
 Judge England

**Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment**

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, on approximately four occasions, I donated to the
6 campaign in support of Proposition 8. Because of the timing of these donations, my personal
7 information was not released to the public until February 2009.

8 4. In support of Proposition 8, I also walked door-to-door, and made phone calls. I also
9 put our "Yes on 8" signs.

10 5. Once my personal information was released to the public in February, I began to
11 receive harassing phone calls at work.

12 6. One man who called me at work told me that my company would be boycotted because
13 of my support of Proposition 8.

14 7. After speaking to this man, I wished him a good day. In reply, he told me in a very
15 disturbing voice to "Have a good life!"

16 8. My co-workers have also received similar phone calls at work about my support of
17 Proposition 8.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 9. Although I would support a cause similar to Proposition 8 in the future, the experience
2 I have had supporting Proposition 8 will make me think about how I donate to any similar
3 campaign in the future. I will look for alternative ways to contribute my money without putting
4 my family or profession in jeopardy. These alternative methods might involve figuring out a way
5 to donate anonymously, or through an organization that will allow me to keep my personal
6 information and support from becoming public.

7 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
8 AND CORRECT.

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10 Executed on REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #53 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF REDACTED
 IN SUPPORT OF
 PLAINTIFFS' MOTION FOR SUMMARY
 JUDGMENT**

Date: TBD
 Time: TBD.
 Judge England

Declaration of REDACTED in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I am a professor at the law school of the University of [REDACTED]
5 [REDACTED]. I have been a member of the law school faculty since [REDACTED], with tenure since [REDACTED].
6 Prior to becoming an academic I served as a staff attorney at [REDACTED]
7 [REDACTED]; [REDACTED] under then [REDACTED]
8 [REDACTED]; and the [REDACTED] of the Fair Political Practices Commission [REDACTED].

9 As an academic I have specialized in Election Law. I have also taught courses in Constitutional
10 Law, Legislation, American Political Thought, and Law and Literature. I have been an active
11 participant in various organizations, including service on the governing boards of Common
12 Cause, Americans for Nonsmokers Rights, and the Interact Theatre Company of North
13 Hollywood.

14 3. I am not a member of any church, synagogue, or other organized religion. Throughout
15 my adult lifetime I have been opposed to laws criminalizing sodomy between consenting adults.
16 Since first thinking about the subject I have supported the legal recognition of civil unions for
17 gay couples. I have enjoyed warm relationships with colleagues and other friends and relations
18 who are gay. I believe that marriage, by human nature, is a union between one man and one
19 woman. Marriage, in my belief, is grounded in the biology of human beings as it relates to the
20 creation and nurturing of children.

21 4. For that reason I supported Proposition 8 in the 2008 General Election. I contributed
22 money to the campaign in favor of Proposition 8, including \$XXX in the period reportable in the
23 post-election campaign statement.

24 5. On February 2, 2009, I received an e-mail entitled "To Prof. [REDACTED]" from the e-
25 mail address "julia.wells2007@gmail.com". A true and correct copy of the text of that e-mail,
26 together with the response that I sent the same day, is attached hereto as Exhibit A and
27

28 Declaration of [REDACTED] in
Support of Plaintiffs' Motion for
Summary Judgment

1 incorporated herein by reference. Later that day I sent a copy of this correspondence to Brian
2 Brown of National Organization for Marriage. The following day he asked me if I would consent
3 to the correspondence being introduced in the present litigation, with a declaration from me. I
4 agreed.

5 6. On February 7, 2008, I received a handwritten letter at my home address. In its
6 entirety, the letter reads: "STUPID MOTHER FUCKER. MAKE A DONATION Like that AND
7 YOU ARE LISTED." My wife opened the letter, and was concerned; she asked me if we are
8 likely to be the targets of violence.

9 7. At the age of 65 I am a veteran of many political and other controversies and have been
10 subject to considerable personal criticism, some of it quite uncivil in nature. I regard myself as
11 pretty thick-skinned against all forms of political attack. I have contributed money to many
12 candidates' campaigns and to many campaigns supporting or opposing ballot propositions. Until
13 this incident I had never been personally criticized simply because I voted in a particular way or
14 contributed money to a particular candidate or for or against a particular proposition. The e-mail
15 from Ms. Wells gave me a feeling of sadness and distress that lasted for a few hours, but that did
16 not debilitate me from engaging in other activities.

17 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
18 AND CORRECT.

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20 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #54 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

Exhibit A

Case 2:09-cv-00058-MCE-DAD Document 157-2 Filed 06/03/2009 Page 2 of 3

From: J W [mailto:julia.wells2007@gmail.com]

Sent: Mon 2/2/2009 2:43 PM

To: [REDACTED]

Subject: To [REDACTED]

The judge released the names today of the donors who supported Prop 8, and your name is on the list as having donated \$XXX to keep same-sex couples from marrying.

Someday you will have to account for the fact that you refused to love thy neighbor, but in the meantime I hope your hateful little life is full of oppression and injustice as this is the kind of life you wish for others.

You're a queer-hating douchebag. Fuck you.

Best,
Julia

Case 2:09-cv-00058-MCE-DAD Document 157-2 Filed 06/03/2009 Page 3 of 3

From: REDACTED
Sent: Mon 2/2/2009 4:08 PM
To: J W
Subject: RE: To REDACTED

Perhaps with the passage of time I shall learn to love my neighbor in the spirit manifested in your e-mail message. In the meantime, I'll do it the old-fashioned way and wish you well.

Best,

REDACTED
REDACTED
REDACTED
REDACTED
REDACTED

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*

16 ** *Designated Counsel for Service*

17 **United States District Court**
Eastern District of California
Sacramento Division

19 **ProtectMarriage.com, et al.,**

20 *Plaintiffs,*

21 *v.*

22 **Debra Bowen, et al.,**

23 *Defendants.*

24 **Case No. 2:09-CV-00058-MCE-DAD**

25 **DECLARATION OF REDACTED**
IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY
JUDGMENT

26 Date: TBD
 Time: TBD.
 Judge England

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 28 Declaration of REDACTED in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, in mid-October, I placed a "Yes on 8" yard sign in front of
6 our house.

7 4. Within hours of placing the "Yes on 8" sign in front of our house, someone removed it.
8 I replaced it with a homemade sign that I thought would be less likely to be removed, because it
9 was less obvious that it was a "Yes on 8" sign. This second sign was not removed.

10 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
11 AND CORRECT.

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13 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #55 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

19
 20 **ProtectMarriage.com, et al.,**

21 *Plaintiffs,*

22 **v.**

23 **Debra Bowen, et al.,**

24 *Defendants.*

25 **Case No. 2:09-CV-00058-MCE-DAD**

26 **DECLARATION OF [REDACTED]**
IN SUPPORT OF PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT

27 Date: TBD
 Time: TBD.
 Judge England

28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of \$X,XXX to ProtectMarriage.com - Yes
6 on 8, a Project of California Renewal in the name of my business.

7 4. After this donation, a man called my office and left me a voice mail message in which
8 he called me a "bigot" and told me I should be "ashamed." After listening to this message, I had
9 the impression that the man who called me had a list of people he was calling and saying similar
10 things to.

11 5. In support of Proposition 8, I also participated in "wave parties" where I stood on a
12 sidewalk and waved to passing motorists. While waving, people would regularly make obscene
13 gestures to and yell at those of us waving.

14 6. In support of Proposition 8, I also placed a sign supporting Proposition 8 in my yard.
15 Someone took down this sign and ripped it down the middle during the day.

16 7. In support of Proposition 8, I also had a bumper sticker taped to the front window of
17 my car, canvassed my neighborhood to find supporters of Proposition 8, worked the telephones
18 on election day, worked with ProtectMarriage.com and spoke at churches to encourage the
19 support of Proposition 8, and produced a video to support Proposition 8.

20 8. After these incidents, I took the address of my business - which is also my home
21 address - off of my business's website, leaving only my name and telephone number on the
22 website as my contact information.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 9. Although these incidents would not prevent me from supporting a cause similar to
2 Proposition 8 in the future, I find these incidents very upsetting.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
4 AND CORRECT.

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6 Executed on **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #56 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED] IN
 SUPPORT OF PLAINTIFFS' MOTION
 FOR SUMMARY JUDGMENT**

Date: TBD
 Time: TBD.
 Judge England

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated several hundred dollars to several groups who
6 supported Proposition 8, including National Organization for Marriage California - Yes on 8,
7 Sponsored by National Organization for Marriage, Focus on the Family, Alliance Defense Fund,
8 and several other less familiar organizations.

9 4. In support of Proposition 8, I placed bumper stickers on my cars and sent emails
10 supporting Proposition 8.

11 5. In support of Proposition 8, I also placed yard signs in my front yard, which is on a
12 residential street. I usually had two or three signs in the yard at a time.

13 6. In the days leading up to the election, these signs were removed or destroyed three or
14 four times. Sometimes, the signs were taken or destroyed during the day; other times, the signs
15 were taken or destroyed at night.

16 7. On one occasion when my signs were taken, my neighbor (an off-duty police officer)
17 got in his car and began to follow the car that had taken the signs. While following the car, he
18 called 911 and alerted the local police department about the situation. When he caught up with
19 them, the mother and teenagers who were in the car had dozens of "Yes on 8" signs in the car.

20 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
21 AND CORRECT.

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23 Executed on: **REDACTED**

REDACTED

REDACTED

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #57 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 1 South Sixth Street
 Terre Haute, IN 47807-3510
 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 15100 North 90th Street
 Scottsdale, Arizona 85260
 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 Counsel for All Plaintiffs

* *Admitted Pro Hac Vice*

** *Designated Counsel for Service*

**United States District Court
 Eastern District of California
 Sacramento Division**

ProtectMarriage.com, et al.,

Plaintiffs,

v.

Debra Bowen, et al.,

Defendants.

Case No. 2:09-CV-00058-MCE-DAD

**DECLARATION OF [REDACTED]
 [REDACTED] IN SUPPORT OF
 PLAINTIFFS' MOTION FOR SUMMARY
 JUDGMENT**

Date: TBD
 Time: TBD.
 Judge England

Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED** make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated approximately \$XX to ProtectMarriage.com - Yes
6 on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I spent approximately 12-14 hours knocking on doors and
8 making phone calls to help gain support for Proposition 8.

9 5. In support of Proposition 8, I also placed a "Yes on 8" yard sign in my front yard.

10 6. Approximately two weeks before the November 2008 election, someone stole my "Yes
11 on 8" yard sign in the late afternoon, while it was still light out.

12 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
13 AND CORRECT.

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15 Executed on: **REDACTED** **REDACTED**
16 **REDACTED**

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #58 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No. 11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

15 * *Admitted Pro Hac Vice*
 ** *Designated Counsel for Service*

16
 17 **United States District Court**
Eastern District of California
 18 **Sacramento Division**

<p>19 ProtectMarriage.com, et al.,</p> <p>20 <i>Plaintiffs,</i></p> <p>21 v.</p> <p>22 Debra Bowen, et al.,</p> <p>23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD</p> <p>DECLARATION OF [REDACTED]</p> <p>IN SUPPORT OF PLAINTIFFS' MOTION</p> <p>FOR SUMMARY JUDGMENT</p> <p>Date: TBD Time: TBD. Judge England</p>
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 28 Declaration of [REDACTED] in
 Support of Plaintiffs' Motion for
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, my family donated a total of approximately **\$X,XXX** to
6 groups supporting Proposition 8.

7 4. My wife and I were very involved in supporting Proposition 8. We called people on
8 the phone to discuss the vote for Proposition 8, we passed out voting reminders shortly before the
9 election, we went door-to-door talking to people about the vote and passing out literature, we
10 joined online groups, discussed Proposition 8 with people on Facebook, blogs, and chat rooms,
11 my wife started a blog (which she still maintains), we called people on the day of the election to
12 remind them to vote, and I went to a local precinct to see which people who had earlier indicated
13 that they were going to vote had already voted.

14 5. In support of Proposition 8, we also placed a large, 4 x 8 hand-painted sign on our
15 fence. On Halloween night, someone vandalized the sign. A true and correct copy of a picture I
16 took of the vandalized sign is attached as Exhibit A. I filed a police report with the local police
17 after this incident.

18 6. Prior to the vandalism of the large sign, we had smaller "Yes on 8" signs stolen and
19 defaced. One of these yard signs was stolen from our front yard, and another was ripped in half
20 with some anti-Proposition 8 literature placed beside it. I also filed police reports after these
21 incidents.

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28 Declaration of **REDACTED** in
Support of Plaintiffs' Motion for
Summary Judgment

1 7. In the future, if I was asked to support a cause similar to Proposition 8, I would be
2 more careful about any donation made by my family, so that we would not be identified.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
4 AND CORRECT.

5
6 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in
Support of Plaintiffs' Motion for
Summary Judgment

CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 4, 2009, I electronically filed the foregoing document described as Declaration of John Doe #43 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini
zackery.morazzini@doj.ca.gov
Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.

Judy W. Whitehurst
jwhitehurst@counsel.lacounty.gov
Attorney for Defendant Dean C. Logan

Terence J. Cassidy
tcassidy@porterscott.com
Attorney for Defendant Jan Scully

Mollie M. Lee
mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock
lwoodlock@fppc.ca.gov
*Attorney for Defendant Members of the Fair Political
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 4th day of June, 2009.

/s/ Scott F. Bieniek
Scott F. Bieniek (Ill. State Bar No. 6295901)
Counsel for All Plaintiffs

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John Doe #43

Exhibit A



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